

IN RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE - DEPUTY ZONING COMMISSIONER
W/S Northwind Road, 1 Mile E of Harford Road, W of Ferguson Road (Windy Edge Substation)
11th Election District
5th & 6th Councilmanic Districts - Case No. 92-441-SPHXA
Baltimore Gas & Electric Co.
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petitions for Special Hearing, Special Exception and Zoning Variance filed by the legal owner of the subject property, Baltimore Gas and Electric Company, by and through its attorneys, John B. Howard, Esquire and Robert A. Hoffman, Esquire. More specifically, the Petitioner requests a special hearing to approve an amendment to the previously approved special exception to permit the construction of additional public utility service center facilities on the subject property; a special exception for the construction and operation of an outdoor electric public utility service center (electric substation in a D.R. zone); and a variance requesting relief from Sections 1B01.1.B.1.e.3 and 1B01.1.B.1.e.5 of Article 1B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit the construction of public utility service center facilities (electric substation) in the 50-foot RTA buffer and 75-foot setback areas, and the construction of 115KV Circuit Interrupter Switch and transmission structures 40 feet in height within the 100-foot residential transition area in lieu of the 35-foot height limitation, if required by the Zoning Commissioner, all as more particularly described on Petitioner's Exhibit 1.

Appearing on behalf of the Petitioner was William R. Colburn, Esquire, in-house counsel for Petitioner. Also appearing on behalf of the

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Petitioner were Walt Reiter, Real Estate Appraiser; Chuck Lacey, Project Manager for BG & E; Ray Cullen, Substation Planner for BG & E; and Bonnie Johansen and Ed Carman, all of whom are associated with BG & E. There were no Protestants.

Testimony indicated that the subject property, known as the Windy Edge Substation, consists of 1.14 acres more or less, split zoned D.R. 3.5 and 5.5 and is part of a larger tract containing 51.09 acres of land. The subject 1.14 acre tract of land is the site of the proposed substation and is located off of Northwind Road, approximately 163 feet north of Fontaine Drive. The proffered testimony indicated that the proposed substation is necessary due to increased development in the surrounding area of Baltimore County. Testimony indicated that this particular substation will also reduce the load on surrounding substations and will result in a more efficient and better distribution of electric to citizens in this area.

Testimony revealed that the proposed substation cannot be located in an area that is traversed by overhead power lines. Petitioner's Exhibit 2, an aerial photograph of the subject site, demonstrates that the proposed site is the only feasible location for the substation due to the many overhead power lines existing in this area. As a result of the limitations imposed by this site, the requested variances are necessary.

Testimony further revealed that the Petitioner approached several of the homeowners in the adjacent subdivisions, all of whom had no opposition to the Petitioner's request. It should be noted that the aerial photograph marked Petitioner's Exhibit 2 also evidenced that an adequate amount of screening and landscaping exists between the entire 51.09-acre tract and the two adjoining subdivisions known as Northwind Village, Section III, and Harmony Hills, Section II.

- 2 -

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After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

It is clear that the B.C.Z.R. permits the use proposed in the D.R. 3.5 and 5.5 zones by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

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After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the pub-

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lic health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested in the special hearing, special exception and variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 9th day of July, 1992 that the Petition for Special Hearing to approve of an amendment to the previously approved special exception to permit the construction of additional public utility service center facilities on the subject property, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the restrictions set forth hereinafter; and,

IT IS FURTHER ORDERED that the Petition for Special Exception to permit the construction and operation of an outdoor electric public utility service center (electric substation in a D.R. zone), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the restrictions set forth hereinafter; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance requesting relief from Sections 1B01.1.B.1.e.3 and 1B01.1.B.1.e.5 of Article 1B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit the construction of public utility service center facilities (electric substation) in the 50-foot RTA buffer and 75-foot setback areas, and the construction of 115KV Circuit Interrupter Switch and transmission structures 40 feet in height within the 100-foot residential transition area in lieu of the 35-foot height limitation, if required by the Zoning Commissioner,

- 5 -

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in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) Prior to the issuance of any permits, the Petitioner shall provide additional landscaping along the border of the proposed substation and the adjoining subdivisions known as Northwind Village, Section III, and Harmony Hills, Section II.
- 3) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

THK:bjs

Timothy N. Kotroco
TIMOTHY N. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

July 9, 1992

(410) 887-4386

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION AND ZONING VARIANCE
N/S Northwind Road, 163' N of Fontaine Drive, W of Ferguson Avenue
(Windy Edge Substation)
11th Election District - 5th & 6th Councilmanic Districts
Baltimore Gas & Electric Company - Petitioner
Case No. 92-441-SPHXA

Dear Mr. Hoffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing, Special Exception and Zoning Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

Timothy N. Kotroco
TIMOTHY N. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

THK:bjs

cc: People's Counsel

File

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Petition for Special Hearing

to the Zoning Commissioner of Baltimore County 92-441-SPHXA

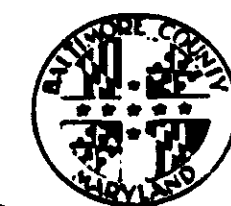
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an amendment to existing special exceptions to permit the construction of additional public utility service center facilities on the site.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

| | |
|------------------------------------|---|
| Contract Purchaser/Lessee: | Legal Owner(s): |
| N/A | Baltimore Gas and Electric Company |
| (Type or Print Name) | (Type or Print Name) |
| Signature | Signature <u>W. R. Colburn, Jr.</u> |
| Address | Signature <u>W. R. Colburn, Jr.</u> |
| City and State | (Type or Print Name) |
| Signature | Signature |
| Attorney for Petitioner: | P. O. Box 1475 |
| John B. Howard, Esquire | 234-5689 |
| (Type or Print Name) | Phone No. |
| Address | Baltimore, MD 21204 |
| City and State | City and State |
| Signature | Name, address and phone number of legal owner, contract purchaser or representative to be contacted |
| 210 Allegheny Avenue | William E. Colburn, Esquire |
| Towson, MD 21204 | Name Baltimore Gas and Electric Company |
| City and State | P. O. Box 1475 |
| Attorney's Telephone No.: 592-8200 | Baltimore, MD 21203 |
| | 234-5689 |
| | Phone No. |



ESTIMATED LENGTH OF HEARING - 1/2 HR. + 10 MIN.
AVAILABLE FOR HEARING
ALL MON./TUES./WED. - NEXT TWO MONTHS
OTHER
REVIEWED BY: DATE

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Petition for Special Exception

to the Zoning Commissioner of Baltimore County 92-441-SPHXA

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for the construction and operation of an outdoor electric public utility service center (electric substation) in a Density Residential Zone (DR 3.5 & DR 5.5).

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

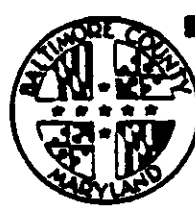
Contract Purchaser/Lessee:
N/A
(Type or Print Name)
Signature
Address
City and State

Legal Owner(s):
Baltimore Gas and Electric Company
By: *[Signature]*
T. F. Brady
(Type or Print Name)
Signature
Address
City and State

Attorney for Petitioner:
John B. Howard, Esquire
(Type or Print Name)
Signature
Address
City and State

Attorney's Telephone No.: 494-6200

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ESTIMATED LENGTH OF HEARING - 1/2HR. - 1HR.
AVAILABLE FOR HEARING
MON./TUES./WED. - NEXT TWO MONTHS
ALL OTHER DATE
REVIEWED BY: DATE

Petition for Variance

to the Zoning Commissioner of Baltimore County 92-441-SPHXA

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 33.01 of the Zoning Regulations of Baltimore County, to use the herein described property for the construction and operation of an outdoor electric public utility service center (electric substation) in a Density Residential Zone (DR 3.5 & DR 5.5).

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

Strict compliance with the required 50 foot buffer, 75 foot setback and 100 foot RIA provisions creates a practical difficulty for the Petitioner by preventing it from constructing and operating a proposed public utility service center (electric substation) which is needed to provide relief to Petitioner's existing electrical facilities supplying electric power to its customers in the area, due to an increase in demand for electricity in the vicinity.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:
N/A
(Type or Print Name)
Signature
Address
City and State

Legal Owner(s):
Baltimore Gas and Electric Company
By: *[Signature]*
T. F. Brady
(Type or Print Name)
Signature
Address
City and State

Attorney for Petitioner:
John B. Howard, Esquire
(Type or Print Name)
Signature
Address
City and State

Attorney's Telephone No.: 494-6200

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ZONING DESCRIPTION

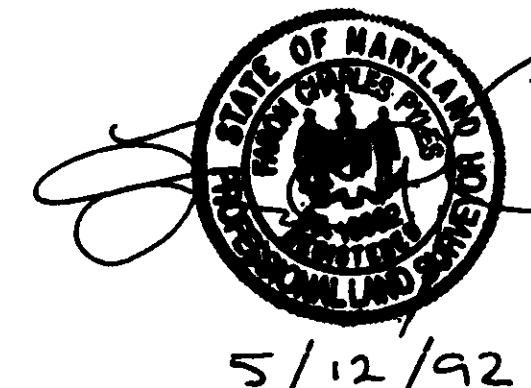
92-441-SPHXA

BEGINNING at a point on the centerline of Ferguson Avenue which is fifty-five feet (55') wide and being approximately 163 feet north of the centerline of Fontaine Drive fifty foot (50') wide as shown on "Plat of Section 2 North Wind Village", as recorded among the Land Records of Baltimore County, Maryland in Plat Book O.T.G. 34 at Folio 112.

THENCE, leaving said point in accordance with a survey by Michael Baker, Jr., Inc., Beaver, PA., with the courses herein referenced to Baltimore County Plane Coordinate System, the following courses and distances:

- 1) North 63° 13' 48" West, 188.96 feet;
- 2) North 58° 20' 44" West, 318.38 feet;
- 3) North 89° 03' 28" West, 532.83 feet;
- 4) South 33° 10' 32" West, 285.31 feet;
- 5) South 18° 25' 48" West, 189.62 feet;
- 6) South 00° 56' 32" West, 768.43 feet;
- 7) South 78° 01' 33" West, 239.08 feet;
- 8) North 00° 56' 32" East, 2,894.05 feet;
- 9) South 74° 03' 38" East, 1,507.36 feet;
- 10) South 22° 53' 32" West, 1,078.13 feet;
- 11) South 44° 34' 48" East, 453.43 feet;
- 12) South 63° 13' 48" East, 125.59 feet;
- 13) South 45° 13' 32" West, 15.53 feet;
- 14) South 27° 13' 32" West, 135.27 feet to the place of beginning.

CONTAINING 2,225,374 square feet or 51.09 acres of land more or less. Said tract also being known as Windy Edge Substation and is located in the 11th election district of Baltimore County, Maryland.



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CERTIFICATE OF POSTING

District: 11th Date of Posting: 5/1/92
Posted for: Special Hearing, Ferguson, Variance
Petitioner: B.G. & E. Co.
Location of property: 163' N of c/l Fontaine Drive
11th Election District
Location of sign: 163' N of c/l Fontaine Drive
Remarks: *[Signature]*
Posted by: *[Signature]* Date of return: 5/2/92
Number of signs: 2

CERTIFICATE OF PUBLICATION

TOWSON, MD., May 28, 1992
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on May 28, 1992.

THE JEFFERSONIAN,

S. Zake, Editor
Publisher

#59.64

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BALTIMORE COUNTY, MARYLAND 123493

OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: ACCOUNT: P-001-6150
AMOUNT: \$ 650.00

RECEIVED FROM: BGE
FOR: SPHXA

04988000340000 650.00
VALIDATION OR SIGNATURE OF CARRIER

MICROFILMED

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

6/18/92 M9200617

PUBLIC HEARING FEES QTY PRICE

OBO -POSTING SIGNS / ADVERTISING 1 X \$129.64

LAST NAME OF OWNER: B.G. & E.

Please Make Payment to: BALTIMORE COUNTY
By Check # 129.64

MICROFILMED

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

DATE:

Baltimore Gas and Electric Company
P. O. Box 1475
Baltimore, Maryland 21203

ATTN: WILLIAM E. COLBURN, ESQ.

RE:

CASE NUMBER: 92-441-SPHXA
1/3 Ferguson Avenue, 163' N of c/l Fontaine Drive
Windy Edge Substation
11th Election District - 5th & 6th Councilmanic
Petitioner(s): Baltimore Gas and Electric Company

Dear Petitioner(s):

Please be advised that \$129.64 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE HEARING SIGN & POST SIGN(S) RETURNED ON THE DAY OF THE HEARING OR THE CASE SHALL BE LOST. DO NOT REMOVE THE SIGN & POST SIGN(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland 21204. It should have your case number noted thereon and be made payable to Baltimore County, Maryland. In order to prevent delay of the issuance of proper credit and/or your order, immediate attention to this matter is suggested.

THOMAS E. SCHMIDT
ZONING

MICROFILMED

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

May 19, 1992

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 116 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

CASE NUMBER: 92-441-SPHXA
1/3 Ferguson Avenue, 163' N of c/l Fontaine Drive
11th Election District - 5th & 6th Councilmanic
Petitioner(s): Baltimore Gas and Electric Company
HEARING: THURSDAY, JUNE 25, 1992 at 9:00 a.m.

Special Exception for the construction and operation of an outdoor electric public utility service center (electric substation).
Special hearing to approve an amendment to existing special exception to permit the construction of additional public utility service center facilities on the site.
Variance to permit the construction of public utility service center facilities (electric substation) in the 50 foot R.T.A. buffer and 75 foot setback areas and the construction of 115kV Circuit Interrupter Switch and Transmission Structures 60 feet in height within the 100 foot residential transaction area in lieu of the 35 foot height limitation.

THOMAS E. SCHMIDT
ZONING

Zoning Commissioner of
Baltimore County

cc: Baltimore Gas and Electric Company
William E. Colburn Esq.
John B. Howard, Esq.

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

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receipt

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

PAID PER HAND-WRITTEN RECEIPT DATED 5/13/92

5/13/92 H9200475

PUBLIC HEARING FEES QTY PRICE

020 -ZONING VARIANCE (OTHER) 1

040 -SPECIAL HEARING (OTHER) 1

050 -SPECIAL EXCEPTION 1

070 -SUM OF ABOVE FEES (MAXIMUM) \$650.00

LAST NAME OF OWNER: B.G. & E.

Please Make Payment to: BALTIMORE COUNTY
By Check # 650.00

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Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 15, 1992

John B. Howard, Esquire
110 Allegheny Avenue
Towson, MD 21204

RE: Item No. 475, Case No. 92-441-SPHXA
Petitioner: Balto. Gas & Electric Co.
Petition for Special Exception

Dear Mr. Howard:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

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Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this 13th day of May, 1992

Received By:
U. Carl Richards, Jr.
Chairman,
Zoning Plans Advisory Committee

Petitioner: Baltimore Gas & Electric Co., et al
Petitioner's Attorney: John B. Howard

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BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: May 26, 1992
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for May 25, 1992
Item 475

The Developers Engineering Division has reviewed the subject zoning item. The Baltimore Gas and Electric Company shall dedicate the right-of-way and reversible slope easements for North Wind Road and Ferguson Avenue (ultimate 60-foot rights-of-way).

The variance to build in a R.T.A. buffer should be denied. If any variances are granted, the adjacent impacted residences should receive extensive landscape buffering.

Robert W. Bowling / DAK
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:DAK:s

RECEIVED
MAY 2 1992
ZONING OFFICE

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: May 26, 1992
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for May 25, 1992
Item 475

The Developers Engineering Division has reviewed the subject zoning item. The Baltimore Gas and Electric Company shall dedicate the right-of-way and reversible slope easements for North Wind Road and Ferguson Avenue (ultimate 60-foot rights-of-way).

The variance to build in a R.T.A. buffer should be denied. If any variances are granted, the adjacent impacted residences should receive extensive landscape buffering.

Robert W. Bowling / DAK
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:DAK:s

RECEIVED
MAY 2 1992
ZONING OFFICE

Road R/W
will make
necessary as this
time R/W's
will be obtained
at time of
future road
construction
Pub
6/25/92

BALTIMORE COUNTY, MARYLAND

OFFICE OF PLANNING AND ZONING
New Courts Building
401 Bosley Avenue
Towson, MD 21204

MEMORANDUM

TO: Arnold Jablon, Director - Zoning Administration & Development Management

FROM: Ervin McDaniel, Chief
Development Review Section
Office of Planning and Zoning

DATE: May 22, 1992

SUBJECT: PETITIONS FROM ZONING ADVISORY COMMITTEE - May 18, 1992

The Office of Planning and Zoning has no comments on the following petitions:

Baltimore Gas & Electric Co. - Item 475
Douglas Holschneider - Item 470

If there should be any further questions or if this office can provide additional information, please contact Francis Morsey in the Office of Planning and Zoning at 887-3211.

RECEIVED
JUN 2 1992
ZONING OFFICE

5_18_92a.txt
Petitns.txt

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Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21204-5500

(301) 887-4500

MAY 22, 1992

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: BALTIMORE GAS AND ELECTRIC COMPANY
Location: WINDY EDGE SUBSTATION
Item No.: +475 (JLL) Zoning Agenda: MAY 18, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: [Signature] Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JP/KKK

RECEIVED
MAY 26 1992
ZONING OFFICE

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Department of Recreation and Parks
Development Review Committee Response Form
Authorized signature: [Signature] Date: 6/1/92

| File Number | Project Name | Waiver Number | Zoning Issue | Meeting Date |
|---------------------|------------------------------------|---------------|--------------|--------------|
| DED DEPRM RP STP TE | Phillip And Carol Faulkenkious | 461 | No Comments | 5-18-92 |
| DED DEPRM RP STP TE | August J. And Elsie W. Seifert | 464 | No Comments | |
| DED DEPRM RP STP TE | Francis D. And Suzanne L. Boyle | 465 | No Comments | |
| DED DEPRM RP STP TE | Robert N. And Joan M. Greene | 466 | No Comments | |
| DED DEPRM RP STP TE | Joseph P. And Gloria G. Connore | 467 | No Comments | |
| DED DEPRM RP STP TE | Kilmarnock Associates | 468 | No Comments | |
| DED DEPRM RP STP TE | Automaster, Inc. | 469 | No Comments | |
| DED DEPRM RP STP TE | Douglas And Mary Holschneider | 470 | No Comments | |
| DED DEPRM RP STP TE | Reisterstown Bible Church | 471 | No Comments | |
| DED DEPRM RP STP TE | Pikesville Partnership | 472 | No Comments | |
| DED DEPRM RP STP TE | Baltimore Gas And Electric Company | 473 | No Comments | |
| DED DEPRM RP STP TE | Charles R. Carroll | 474 | No Comments | |

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92-441-SPHXA 6-25-92

Development Review Committee Response Form
Authorized signature: [Signature] Date: 6-29-92

| File Number | Project Name | Waiver Number | Zoning Issue | Meeting Date |
|-------------|------------------------------------|---------------|--------------|------------------|
| DEPRM | Robert N. And Joan M. Greene | 466 | 5-18-92 | Written comments |
| DEPRM | Baltimore Gas And Electric Company | | No Comments | |

COUNT 2

| | | | | |
|-------|---------------------------------|-----|--------|------------|
| DEPRM | Gene Nelson And Paulette Ensor | 489 | 6-1-92 | IN PROCESS |
| DEPRM | Lawrence F. And Ruth C. Solomon | 493 | | IN PROCESS |

COUNT 2

| | | | | |
|-------|---------------------------------------|-----|---------|------------------|
| DEPRM | Washington Homes, Inc | 504 | 6-15-92 | IN PROCESS |
| DEPRM | Aurelia Loveman For Joseph H. Loveman | 505 | | Written comments |
| DEPRM | Timothy W. And Carol Anne M. Frost | 506 | | IN PROCESS |
| DEPRM | James E. Bishop, Sr. | 508 | | IN PROCESS |

COUNT 4

| | | | | |
|-------|----------------------------------|-----|---------|------------|
| DEPRM | Keith M. And Patricia M. Lambert | 496 | 6-15-92 | IN PROCESS |
|-------|----------------------------------|-----|---------|------------|

COUNT 1

RECEIVED
JUN 30 1992
ZONING OFFICE

VENABLE, BAFFIER AND HOWARD

ATTORNEYS AT LAW

111 W. Crossapeake Avenue
Towson, Maryland 21204

111 W. Crossapeake Avenue
Towson, Maryland 21204

111 W. Crossapeake Avenue
Towson, Maryland 21204

111 W. Crossapeake Avenue
Towson, Maryland 21204

111 W. Crossapeake Avenue
Towson, Maryland 21204

June 16, 1992

Mrs. Owen Stephens
Zoning Office
111 W. Crossapeake Avenue
Towson, Maryland 21204

Re: Petitioner: Baltimore Gas & Electric Company
Case No.: 92-441-SPHXA

Dear Owen:

Enclosed please find our check in the amount of \$129.64 to cover the cost of advertising and posting of the above captioned matter.

Sincerely,

Barbara A. White
Legal Assistant

By
Signature
of Robert A. Hoffman, Esquire

RECEIVED
JUN 17 1992

ZONING OFFICE

MICROFILMED

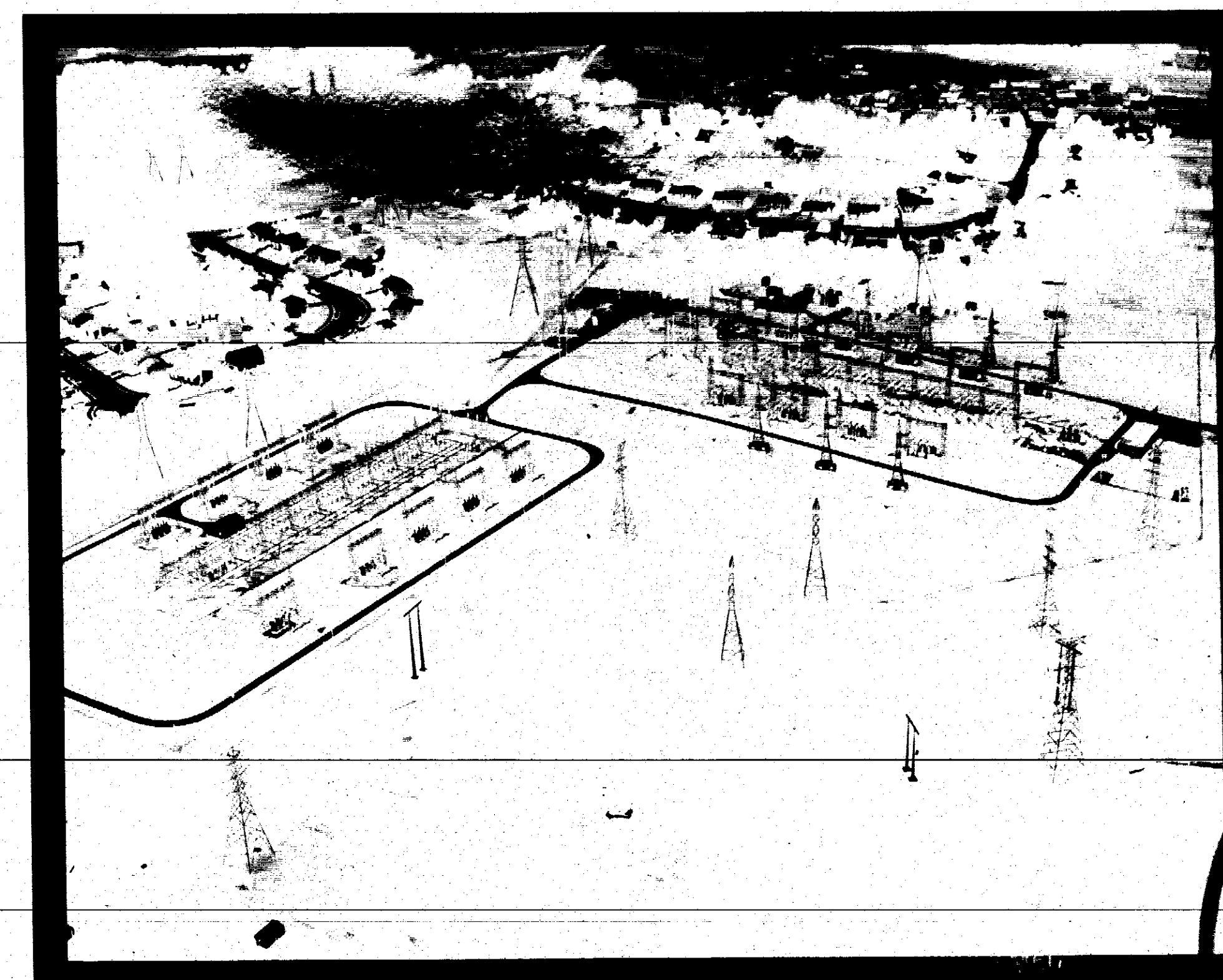
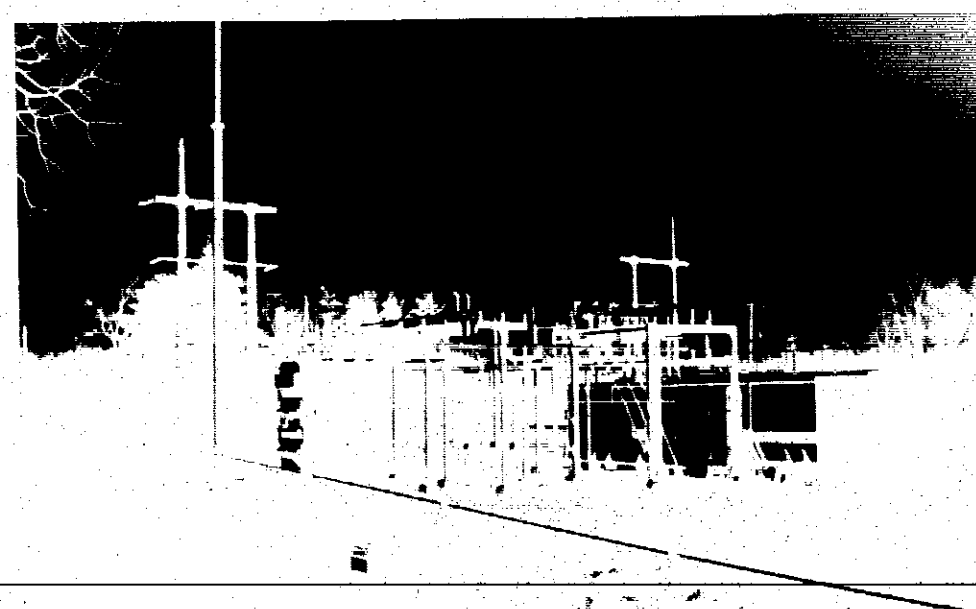
PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

| | |
|---------------|-----------------|
| Rb Hoffman | 210 411/101 Ave |
| John G. G. | P.O. 1475 3103 |
| Chad G. | P.O. 1475 3103 |
| James Johnson | 2048 " |
| Long Johnson | " |
| Ed Carmon | 2048 " |



BALTIMORE COUNTY GAME AND FISH
PROTECTIVE ASSOCIATION
PARCEL 413 LIBER 1190 FOLIO 357

BALTIMORE GAS & ELECTRIC
TRANSMISSION R/W

OAKHURST SECTION 3

OAKHURST SECTION 1

NORTH WIND VILLAGE SECTION 3

NORTH WIND VILLAGE SECTION 2

| LOT | OWNER | LIBER/FOLIO |
|-----|---|-------------|
| 5 | MARVIN R. SOUTHCAMP WANDA D. SOUTHCAMP | 5205/978 |
| 6 | LAWRENCE C. NICKOL CHERYL L. M. NICKOL | 8425/197 |
| 7 | THOMAS P. JOHNSON FORTUNATA JOHNSON | 5757/614 |

| LOT | OWNER | LIBER/FOLIO |
|-----|---------------------------------|-------------|
| 12 | JAMES J. WROTEN, JR. | 5430/857 |
| 13 | GARY ALLAN MILLHOFF, JR. | 5430/835 |
| 14 | GEORGE E. DRESSEL, JR. et ux | 5433/853 |
| 15 | JERRY W. SMITH, et ux | 6016/293 |

| LOT | OWNER | LIBER/FOLIO |
|-----|---|-------------|
| 19 | PETER E. RHODE MARY KAREN RHODE | 7990/757 |
| 20 | MICHAEL A. SMITH CHRISTINE J. SMITH | 6507/709 |
| 21 | TIMOTHY J. STROTT ELIZABETH A. STROTT | 6534/435 |
| 22 | WALTER W. WIECZORKOWSKI CAROL A. WIECZORKOWSKI | 6518/673 |

| LOT | OWNER | LIBER/FOLIO |
|-----|--|-------------|
| 16 | LOUIS H. SAUER, et ux | 5413/714 |
| 17 | MICHAEL D. PITTILLO DORIS A. PITTILLO | 5409/880 |
| 18 | GARY A. SHERROD, et ux | 8210/730 |
| 19 | LEONARD H. MCCORD, JR. | 5406/40 |

| LOT | OWNER | LIBER/FOLIO |
|-----|------------------------------------|-------------|
| 23 | ALAN T. MCCABE ELAINE M. MCCABE | 7753/292 |
| 45 | GAIL ANITA MOORE | 6564/123 |
| 44 | GARY W. CAWLEY SUSAN M. CAWLEY | 6573/187 |
| 43 | KEITH A. SARY THERESA S. SARY | 7907/194 |

| LOT | OWNER | LIBER/FOLIO |
|-----|---|-------------|
| 13 | MICHAEL PIUNTI SISAN PIUNTI | 7520/444 |
| 14 | DONALD E. MILLIKEN MARGO J. MILLIKEN | |
| 15 | MARY C. ROMEO | 8520/582 |

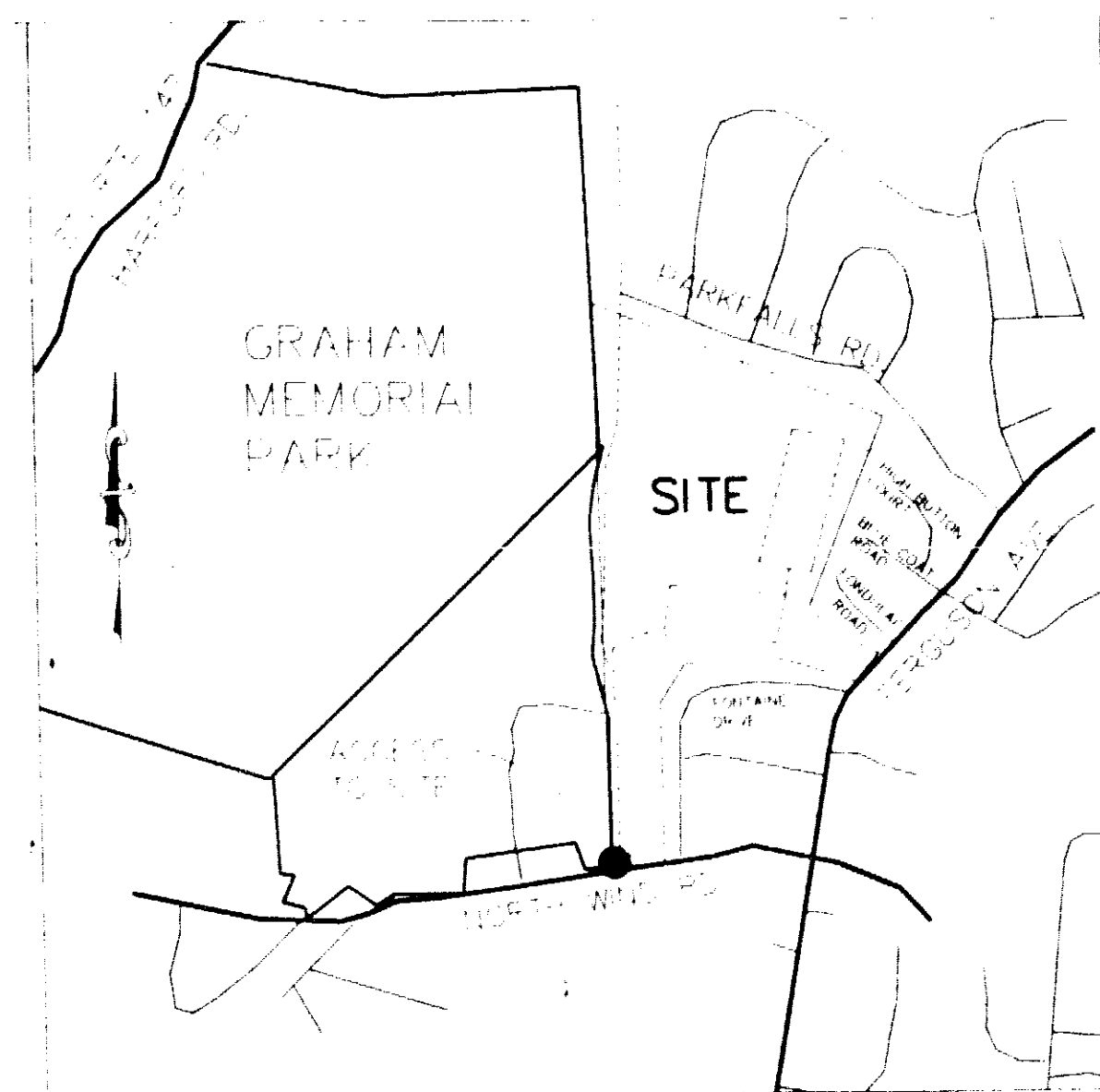
| LOT | OWNER | LIBER/FOLIO |
|-----|--|-------------|
| 24 | THOMAS S. WEDGE EILEEN I. WEDGE | 6870/742 |
| 25 | DONALD AULL KATHY AULL | 6726/640 |
| 26 | JOHN H. OFFERMAN, JR. DEBORAH L. OFFERMAN | 6743/509 |

| LOT | OWNER | LIBER/FOLIO |
|-----|---|-------------|
| 16 | ROBERT C. DEAL JAMIE R. DEAL | 6730/34 |
| 17 | RICHARD E. WILSON PATRICIA ANNE WILSON | 6744/634 |
| 18 | ANTHONY RIGGIO JOY LYN RIGGIO | 7482/187 |

| LOT | OWNER | LIBER/FOLIO |
|-----|---|-------------|
| 27 | JOHN J. MELKA MICHELLE M. MELKA | 7799/494 |
| 28 | WARREN S. GUENTHER KATHERINE R. GUENTHER | 6780/673 |
| 29 | KIRK J. MOELLER LINDA D. MOELLER | 8120/363 |

| LOT | OWNER | LIBER/FOLIO |
|-----|---|-------------|
| 19 | WILLIAM G. FRANKIS BARBARA U. FRANKIS | 8596/621 |
| 20 | MELVIN L. CAMPBELL, JR. MARY A. CAMPBELL | 6774/59 |
| 21 | ROBERT M. WILLIAMS LORETTA J. WILLIAMS | 6785/821 |

| LOT | OWNER | LIBER/FOLIO |
|-----|---|-------------|
| 22 | PAUL J. BASILE TONI S. BASILE | 8581/248 |
| 23 | JOSEPH REGIS SMITH PATRICIA LYNN SMITH | 7847/344 |



VICINITY MAP
1"=1000'

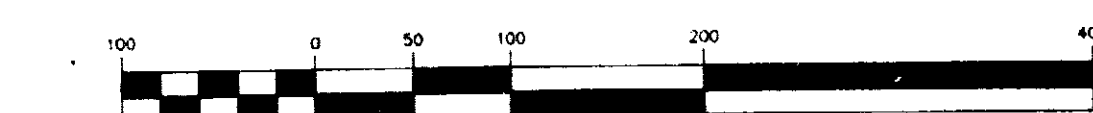
COUNCILMANIC DISTRICT - 5 & 6
LIBER/FOLIO: BALTIMORE GAS & ELECTRIC

TAX MAP: 71 GRID: 6 PARCELS 167, 412 AND 421
EXISTING SUBSTATION AREA: 51.09
TOTAL PROPOSED STATION AREA: 1.14 AC.
PARCEL 167 IS ZONED D.R. 3.5
PARCEL 412 IS ZONED D.R. 5.5
PARCEL 421 IS ZONED D.R. 3.5 AND D.R. 5.5
ELECTION DISTRICT: 11
ZONING MAP: N.E. 11-F
PROPERTY ADDRESS: NORTHWIND ROAD, APPROX. 1
MILE EAST OF HARFORD ROAD

SUSQUEHANNA TRANSMISSION CO.
ARTICLES OF TRANSFER

TAX ACCOUNT NO.: 11-02-002912
SANITARY SEWER DRAWING NO.: O.S.W.
WATER DRAWING NO.: O.S.W.
STORMDRAINS DRAWING NO.: O.S.W.
APPLICANT AND OWNER:
BALTIMORE GAS & ELECTRIC
SUBSTATION ENGINEERING
ELECTRIC SYSTEM ENGINEERING DEPARTMENT
P.O. BOX 1475
LEXINGTON AND LIBERTY STREETS
BALTIMORE, MD. 21203
ATTN: CHUCK LACEY (410) 234-6855

GRAPHIC SCALE



PETITIONERS' EX #1

THIS DRAWING SUPERSEDES DRAWING
OF SAME NUMBER DATED

LEGEND

- BOUNDARY CORNER
- POWER POLE
- EX. TREE (TO BE REMOVED)
- SANITARY SEWER
- WOODEN POST
- OVERHEAD POWER LINES
- LIMITS OF DISTURBANCE
- SETBACK LINES
- EASEMENTS
- BUILDING
- TOWER
- WOOD POLE AND
STEEL H-FRAME
- FIRE HYDRANT

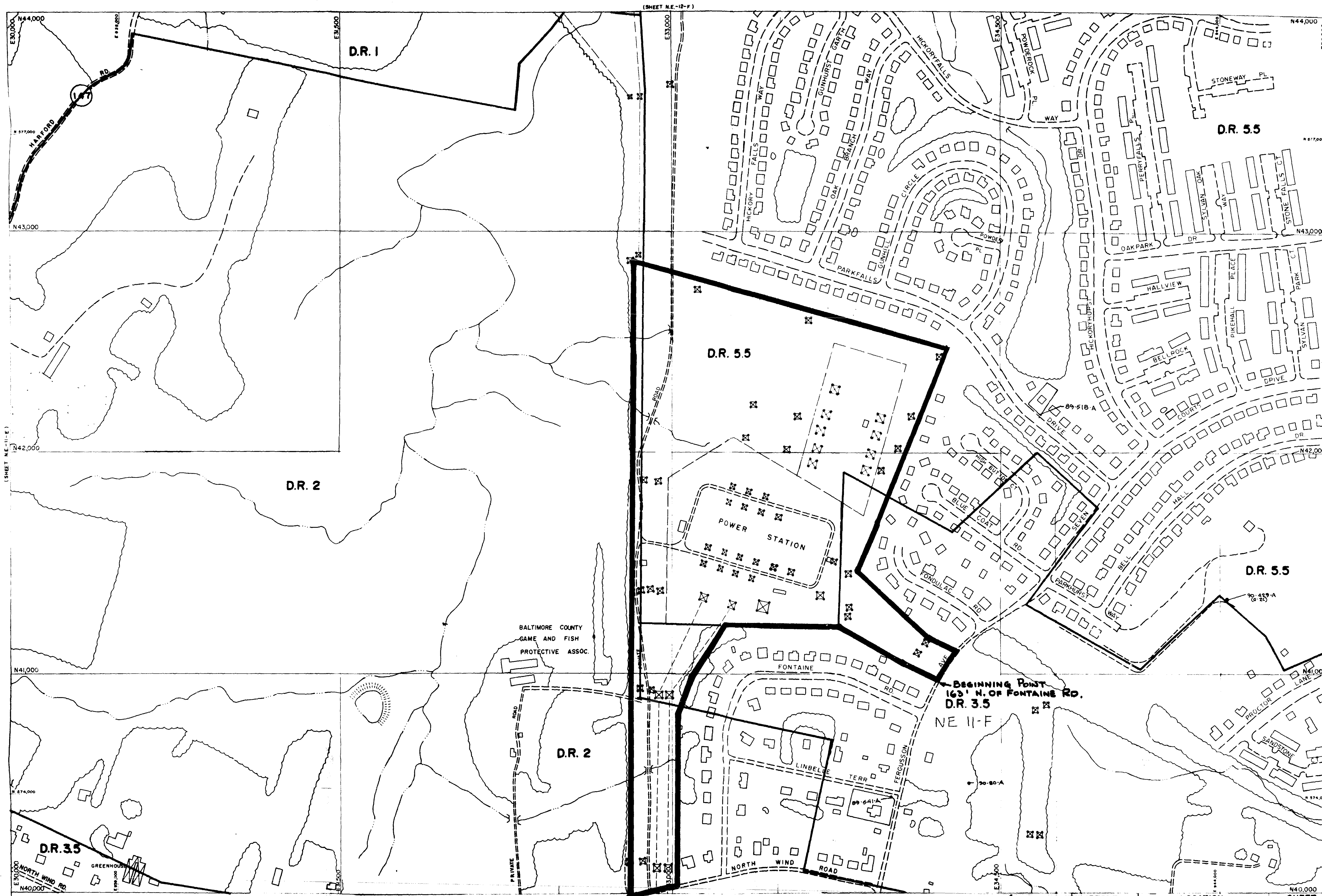
MATCH LINE-THIS SHEET

PROPOSED SUBSTATION
AREA (SEE DWG. NO. 93-682-E)



Baker
Michael Baker Jr., Inc.

| REV. | DATE | JOB ORDER & ESTIMATE NO. | DESCRIPTION | APPROVED | ENGINEERING |
|------|--------|-----------------------------|--|----------|--|
| 1 | 5-1-92 | | ADD SETBACK LINES AND PROPERTY OWNERS | | CIVIL ELEC. PROJ. ENG. DRW. PROJ. MGR. RCH. PRIN. ENG. SUPV. ENG. |
| | | | | | DESIGN GROUP |
| | | | | | WINDY EDGE SUBSTATION |
| | | | | | BALTIMORE GAS & ELECTRIC COMPANY |
| | | | | | DISTRIBUTION & TRANSMISSION ENGINEERING DEPT. |
| | | | | | SYSTEM ENGINEERING SECTION |
| | | | | | FILE |
| | | | | | SCALE 1" = 100' |
| | | | | | NO. 93-681-E |



R-SE Q-SW
N-NE M-NW

1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 13, 1988

Bill Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88

[Signature]
Chairman, County Council

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

SCALE
1" = 200' ±
DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
CUB HILL
CARNEY AREA

SHEET
N.E.
11-F

475

92-441-SPHXA

MICROFILMED

11/10/94
TO: JLC + 11/10/94
T: S + F
Call R. Sealing
Plan.
TO: Mr. [unclear]
Gd [unclear]

Baltimore Gas and Electric Company
7609 Energy Parkway
Suite 101
Baltimore, Maryland 21226

RECEIVED
NOV 3 1994
ZADM

Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management
County Office Building
111 W. Chesapeake Avenue
Towson, MD 21204

Dear Mr. Jablon:

Our records indicate that two special exceptions were granted at this site. Case No. 1802-S, which granted construction of a substation and communications tower on September 9, 1950, and Case No. 92-441-SPHXA, allowing for the expansion of Windy Edge with a new distribution substation.

The proposed new unmanned enclosure will be located within our fenced substation on the south side of the existing shelter, in accordance with the attached location plan. The enclosure will be approximately 32' x 48' and we believe will meet all Baltimore County setback requirements. The existing communications equipment structure will be maintained on site.

It is requested that you confirm that this new structure is a minor commercial structure under Section 26-171-a(7) and is within the spirit and intent of the original special exception approved on September 9, 1950


Yours truly

Richard W. Filling
Richard Filling
Environmental Affairs

cc: David Flowers, ZADM
Larry Schmidt

Speed Letter

In the interest of speed and economy, we are replying to your letter with marginal notes. If you need more information, do not hesitate to call or write. Thank you for your interest.




11th Election District

November 15, 1994

Dear Mr. Filling:

Along with an accompanying copy of this letter and response, please provide a red-lined copy of the approved site plans as approved in the zoning cases referenced in your letter indicating the location of all proposed changes. A \$40.00 fee is required, made payable to Baltimore County. Please also provide a working hours telephone number where the staff may contact you.

Very truly yours,

 John L. Lewis
 Planner II

JLL:scj

10/28/97
✓
TO WEL
see me

Baltimore Gas and Electric Company
P.O. Box 1475
Baltimore, Maryland 21203-1475

5750-95

October 19, 1995

Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Determination of Compliance with Spirit and Intent of Special Exception

Dear Mr. Jablon:

On October 28, 1994 BGE requested a Limited Exemption and a determination of Spirit and Intent of Special Exception. On December 29, 1994 we received confirmation that the Limited Exemption was granted (see attached) and we applied for a building permit on September 27, 1995. On October 19, 1995 we were told a determination on the Spirit and Intent was not addressed and that it was required in order for Zoning to approve Building Permit #B 249196

Our records indicate that two special exceptions were granted at this site: Case No. 1802-5, which granted construction of a substation and communications tower on September 9, 1950, and Case No. 92-441-SPHXA, allowing for the expansion of Windy Edge with a new distribution substation.

There was no opposition to these special exceptions.

There is an existing 16' X 22' masonry building next to the communications tower that will remain once the new building is constructed. The proposed building will be unmanned and is required to house additional communications equipment. The building will be 32' X 44' and will meet all Baltimore County setback requirements. It will be located within our fenced substation on the south side of the existing building, in accordance with the attached red-lined site plan.

It is requested that you confirm this new structure is within the Spirit and Intent of the original Special Exception(s).

PLEASE EXPEDITE AS THIS APPROVAL WAS PREVIOUSLY REQUESTED ON
OCTOBER 28, 1994 AND A BUILDING PERMIT IS PENDING.

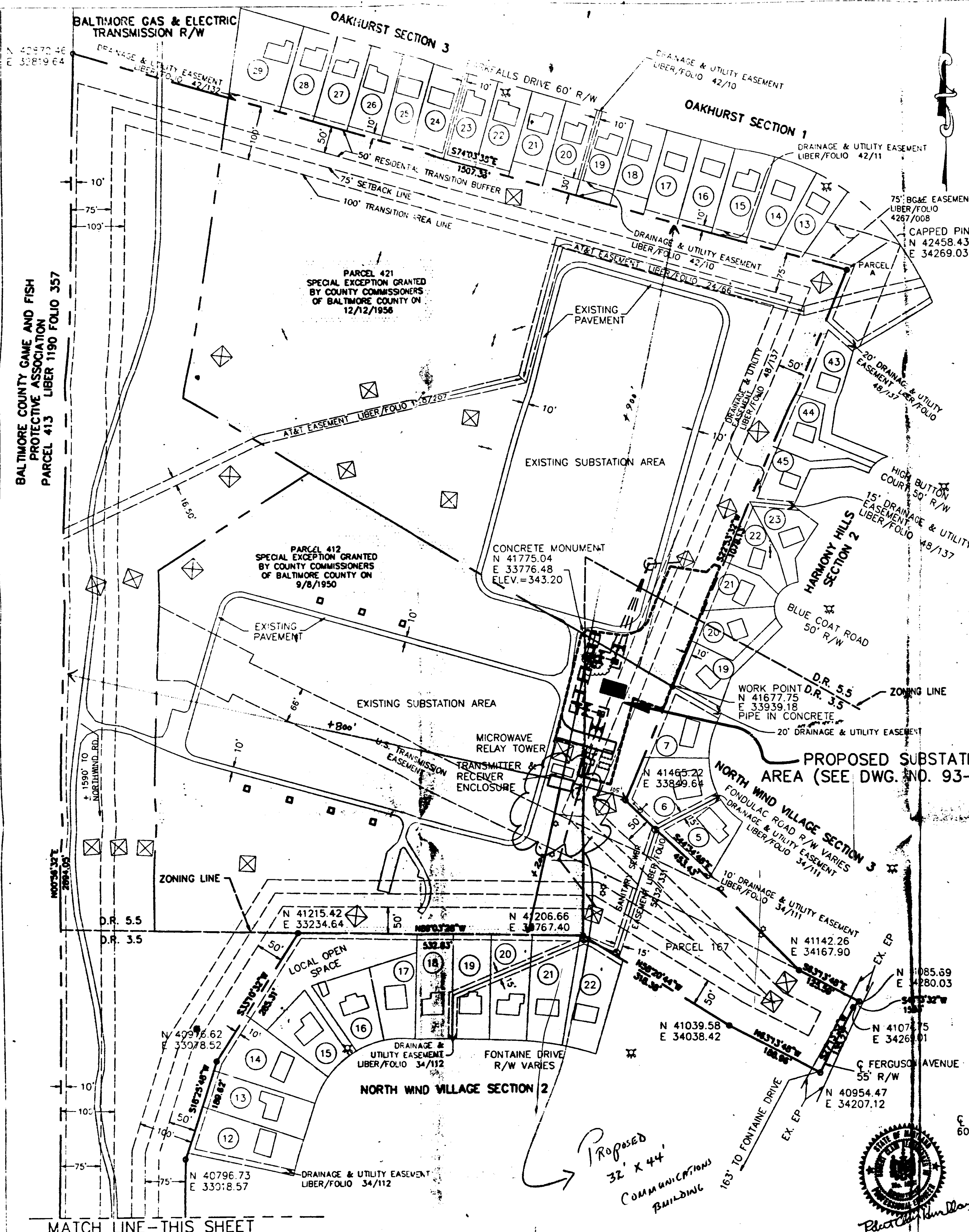
Please call me at 787-5130 if you have any questions on the above.

APPROVED FOR SPIRIT AND INTENT
FOR ZOWING. 10/24/95
WCR/JLL P.D.M. [Signature]

Sincerely,

James F. Burkman
Environmental Permit Technician

G:\groups\wnr\windy.doc



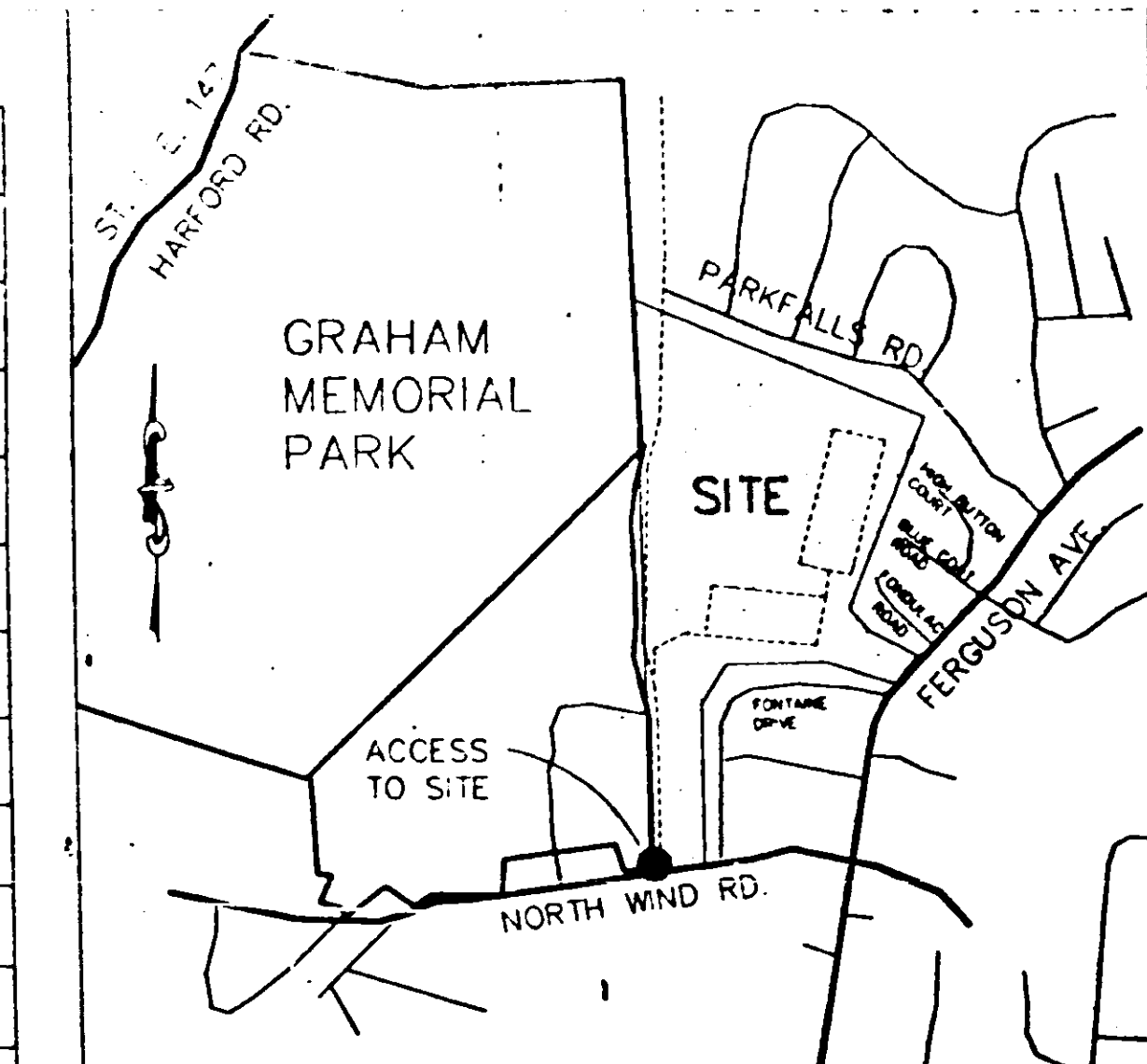
| NORTH WIND VILLAGE SECTION 3 | | |
|------------------------------|---|-------------|
| LOT | OWNER | LIBER/FOLIO |
| 5 | MARVIN R. SOUTHCOMB WANDA D. SOUTHCOMB | 5705/978 |
| 6 | LAWRENCE C. NICKOL CHERYL L. M. NICKOL | 8425/197 |
| 7 | THOMAS P. JOHNSON FORTUNATA JOHNSON | 5757/614 |

| HARMONY HILLS SECTION 2 | | |
|-------------------------|---|-------------|
| LOT | OWNER | LIBER/FOLIO |
| 19 | PETER E. RHODE MARY KAREN RHODE | 7990/757 |
| 20 | MICHAEL A. SMITH CHRISTINE J. SMITH | 6507/709 |
| 21 | TIMOTHY J. STROTT ELIZABETH A. STROTT | 6534/435 |
| 22 | WALTER W. WIECZORKOWSKI CAROL A. WIECZORKOWSKI | 6518/673 |
| 23 | ALAN T. MCCABE ELAINE M. MCCABE | 7753/292 |
| 45 | GAIL ANITA MOORE | 6566/723 |
| 44 | GARY W. CAWLEY SUSAN M. CAWLEY | 6573/187 |
| 43 | KEITH A. SABA THERESA S. SABA | 7907/194 |

| OAKHURST SECTION 3 | | |
|--------------------|--|-------------|
| LOT | OWNER | LIBER/FOLIO |
| 24 | THOMAS S. WEDGE EILEEN I. WEDGE | 6870/742 |
| 25 | DONALD AULL KATHY AULL | 6726/640 |
| 26 | JOHN H. OFFERMAN, JR. DEBORAH L. OFFERMAN | 6743/509 |
| 27 | JOHN J. MELKA MICHELLE M. MELKA | 7799/494 |
| 28 | WARREN S. GUENTHER KATHERINE R. GUENTHER | 6780/673 |
| 29 | KIRK J. MOELLER LINDA D. MOELLER | 8120/363 |

| NORTH WIND VILLAGE SECTION 2 | | |
|------------------------------|--|-------------|
| LOT | OWNER | LIBER/FOLIO |
| 12 | JAMES Y. WROTEN, et ux | 5430/627 |
| 13 | GARY ALLAN MILLHOFF, et ux | 5430/835 |
| 14 | GEORGE E. DRESSER, JR., et ux | 5433/853 |
| 15 | JERRY W. SMITH, et ux | 6016/293 |
| 16 | LOUIS H. SAUER, et ux | 5413/734 |
| 17 | MICHAEL D. PITILLO DORIS A. PITILLO | 5409/830 |
| 18 | GARY A. SHERRON, et ux | 8210/790 |
| 19 | LEONARD H. MCCORD, et ux | 5406/40 |
| 20 | ZINWOOD E. NEWBERRY, et ux | 6736/773 |
| 21 | THERESA A. DESAULNIERS-BARE RICHARD B. BARE | 7356/637 |
| 22 | JOSEPH J. COLABELLA SR., et ux | 8039/805 |

| OAKHURST SECTION 1 | | |
|--------------------|--|-------------|
| LOT | OWNER | LIBER/FOLIO |
| 13 | MICHAEL PIUNTI SUSAN PIUNTI | 7520/444 |
| 14 | DONALD E. MILLIKEN MARGO J. MILLIKEN | --- |
| 15 | MARY C. ROMEO | 8520/582 |
| 16 | ROBERT C. DEAL JAMIE R. DEAL | 6730/34 |
| 17 | RICHARD E. WILSON PATRICIA ANNE WILSON | 6744/694 |
| 18 | ANTHONY RIGGIO JOY LYNN RIGGIO | 7482/187 |
| 19 | WILLIAM G. FRANKIS BARBARA U. FRANKIS | 8596/621 |
| 20 | MELVIN L. CAMPBELL JR. MARY A. CAMPBELL | 6774/59 |
| 21 | ROBERT M. WILLIAMS LORETTA J. WILLIAMS | 6785/821 |
| 22 | PAUL J. BASILE TONI S. BASILE | 8581/248 |
| 23 | JOSEPH REGIS SMITH PATRICIA LYNN SMITH | 7847/344 |



EXISTING PRIVATELY OWNED
BG&E ROADS.

VICINITY MAP
1"=1000'

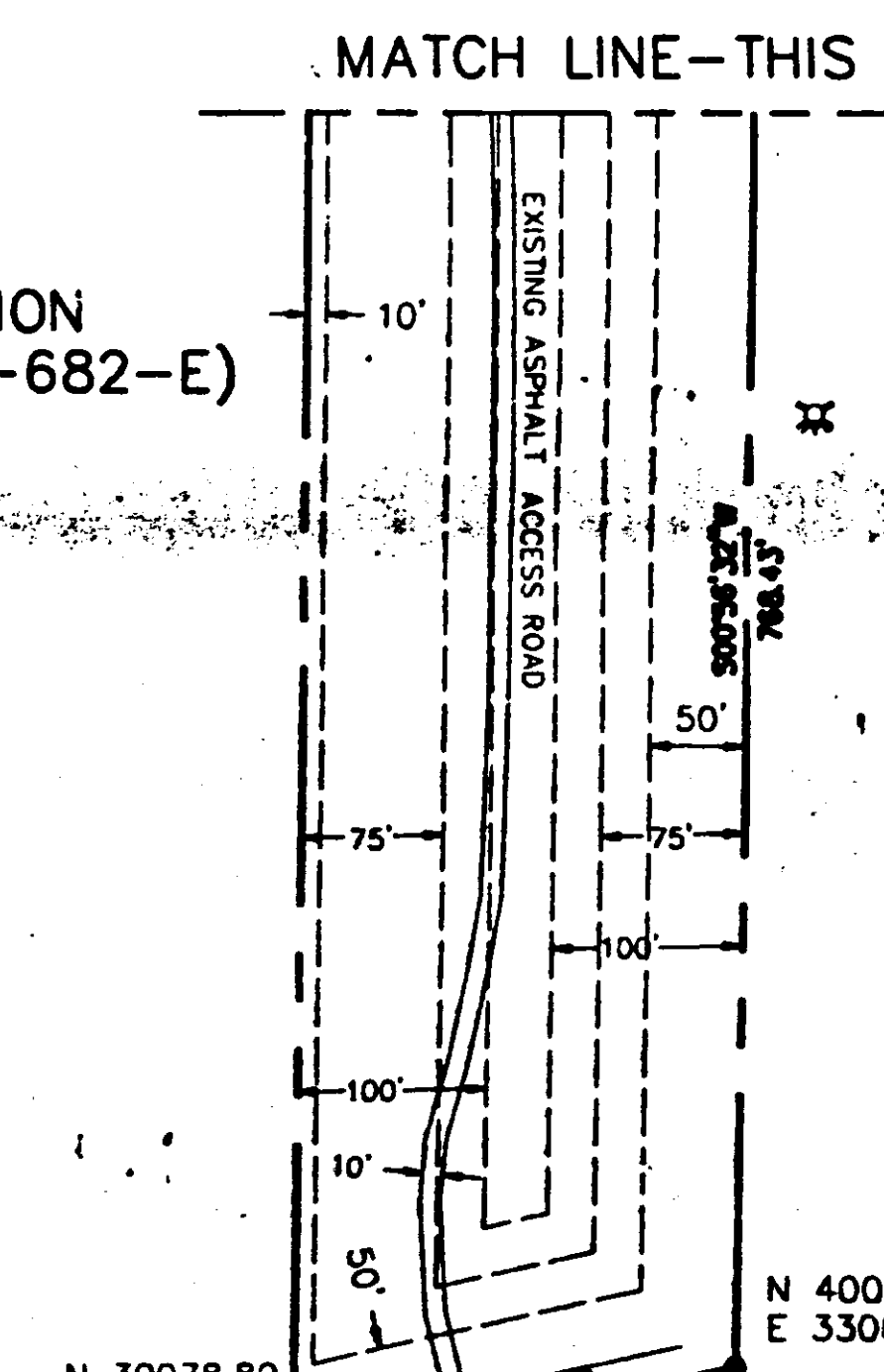
COUNCILMANIC DISTRICT : 5 & 6
LIBER/FOLIO: BALTIMORE GAS & ELECTRIC
3572 / 546
3098 / 287
1875 / 16
1859 / 417
1037 / 100
609 / 116
604 / 230
603 / 359
370 / 161
365 / 104
364 / 435

SUSQUEHANNA TRANSMISSION CO.
ARTICLES OF TRANSFER

TAX MAP: 71 GRID : 6 PARCELS 167, 412 AND 421
EXISTING SUBSTATION AREA : 51.09
TOTAL PROPOSED STATION AREA : 1.14 ac.
PARCEL 167 IS ZONED D.R. 3.5
PARCEL 412 IS ZONED D.R. 5.5
PARCEL 421 IS ZONED D.R. 3.5 AND D.R. 5.5
ELECTION DISTRICT : 11
ZONING MAP : N.E. 11-F
PROPERTY ADDRESS : NORTHWIND ROAD, APPROX. 1 MILE EAST OF HARFORD ROAD.

TAX ACCOUNT NO. : 11-02-002912
SANITARY SEWER DRAWING NO. : O S.W.
WATER DRAWING NO. : O S.W.
STORMDRAINS DRAWING NO. : O S.W.

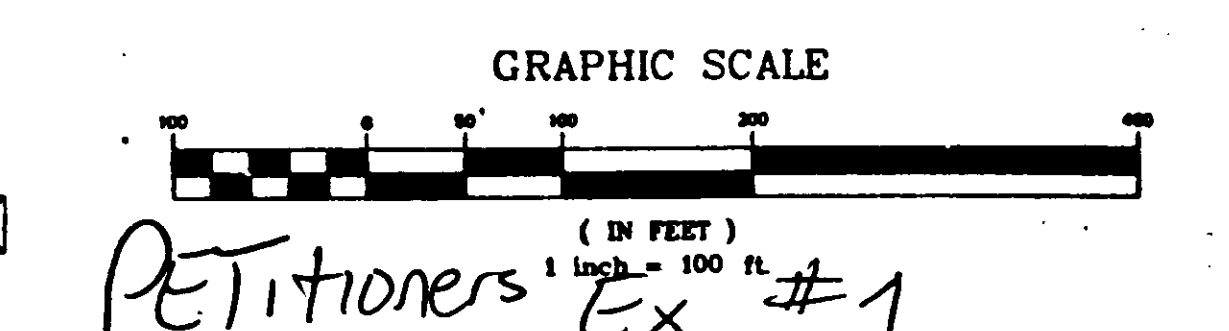
APPLICANT AND OWNER :
BALTIMORE GAS & ELECTRIC
SUBSTATION ENGINEERING
ELECTRIC SYSTEM ENGINEERING DEPARTMENT
P.O. BOX 1475
LEXINGTON AND LIBERTY STREETS
BALTIMORE, MD. 21203
ATTN: CHUCK LACEY (410) 234-6855



LEGEND

BOUNDARY CORNER
POWER POLE
EX. TREE (TO BE REMOVED)
SANITARY SEWER
WOODEN POST
OVERHEAD POWER LINES
LIMITS OF DISTURBANCE
SETBACK LINES
EASEMENTS
BUILDING

TOWER
WOOD POLE AND
STEEL H-FRAME
FIRE HYDRANT



| REV | DATE | JOB ORDER & ESTIMATE NO. | DESCRIPTION | APPROVED | ENGINEERING |
|-----|--------|--------------------------|---------------------------------------|----------|---|
| 1 | 5-1-92 | | ADD SETBACK LINES AND PROPERTY OWNERS | | CIVIL ELEC. PROJ. ENG. DRW. PROJ. MGR. RCL. PRIN. ENG. SUPV. ENG. |
| | | | | | DESIGN GROUP DESIGNED CHECKED DRAWN CHECKED APPROVED DATE 4-14-92 |
| | | | | | CADD: MJT MICROFILMED DWG. NO. 93-681-E |

Petition for Special Exception

to the Zoning Commissioner of Baltimore County 92-441-SPHXA

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for the construction and operation of an outdoor electric public utility service center (electric substation) in a Density Residential Zone (DR 3.5 & DR 5.5).

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

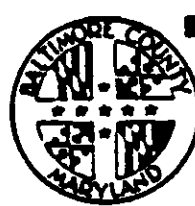
Contract Purchaser/Lessee:
N/A
(Type or Print Name)
Signature
Address
City and State

Legal Owner(s):
Baltimore Gas and Electric Company
By: *[Signature]*
T. F. Brady
(Type or Print Name)
Signature
Address
City and State

Attorney for Petitioner:
John B. Howard, Esquire
(Type or Print Name)
Signature
Address
City and State

Attorney's Telephone No.: 494-6200

MICROFILMED



ESTIMATED LENGTH OF HEARING - 1/2HR. - 1HR. - 1 1/2HR.
AVAILABLE FOR HEARING
MON./TUES./WED. - NEXT TWO MONTHS
ALL OTHER DATE
REVIEWED BY: DATE

Petition for Variance

to the Zoning Commissioner of Baltimore County 92-441-SPHXA

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 33-201.1 of Article 18 - Density Residential (D.R.) Zones in the 50 foot R.T.A. buffer and 75 foot setback areas, and the construction of 115kV Circuit Interrupter Switch and Transmission Structures, 50 feet in height within the 100 foot residential transaction area in lieu of the 35 foot height limitation, if required by the Zoning Commissioner.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

Strict compliance with the required 50 foot buffer, 75 foot setback and 100 foot R.T.A. provisions creates a practical difficulty for the Petitioner by preventing it from constructing and operating a proposed public utility service center (electric substation) which is needed to provide relief to Petitioner's existing electrical facilities supplying electric power to its customers in the area, due to an increase in demand for electricity in the vicinity.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:
N/A
(Type or Print Name)
Signature
Address
City and State

Legal Owner(s):
Baltimore Gas and Electric Company
By: *[Signature]*
T. F. Brady
(Type or Print Name)
Signature
Address
City and State

Attorney for Petitioner:
John B. Howard, Esquire
(Type or Print Name)
Signature
Address
City and State

Attorney's Telephone No.: 494-6200

MICROFILMED

ZONING DESCRIPTION

92-441-SPHXA

BEGINNING at a point on the centerline of Ferguson Avenue which is fifty-five feet (55') wide and being approximately 163 feet north of the centerline of Fontaine Drive fifty foot (50') wide as shown on "Plat of Section 2 North Wind Village", as recorded among the Land Records of Baltimore County, Maryland in Plat Book O.T.G. 34 at Folio 112.

THENCE, leaving said point in accordance with a survey by Michael Baker, Jr., Inc., Beaver, PA., with the courses herein referenced to Baltimore County Plane Coordinate System, the following courses and distances:

- 1) North 63° 13' 48" West, 188.96 feet;
- 2) North 58° 20' 44" West, 318.38 feet;
- 3) North 89° 03' 28" West, 532.83 feet;
- 4) South 33° 10' 32" West, 285.31 feet;
- 5) South 18° 25' 48" West, 189.62 feet;
- 6) South 00° 56' 32" West, 768.43 feet;
- 7) South 78° 01' 33" West, 239.08 feet;
- 8) North 00° 56' 32" East, 2,894.05 feet;
- 9) South 74° 03' 38" East, 1,507.36 feet;
- 10) South 22° 53' 32" West, 1,078.13 feet;
- 11) South 44° 34' 48" East, 453.43 feet;
- 12) South 63° 13' 48" East, 125.59 feet;
- 13) South 45° 13' 32" West, 15.53 feet;
- 14) South 27° 13' 32" West, 135.27 feet to the place of beginning.

CONTAINING 2,225,374 square feet or 51.09 acres of land more or less. Said tract also being known as Windy Edge Substation and is located in the 11th election district of Baltimore County, Maryland.

MICROFILMED

CERTIFICATE OF POSTING

District: 11th Date of Posting: 5/1/92
Posted for: Special Hearing, Ferguson, Variance
Petitioner: B.G. & E. Co.
Location of property: 163' N of c/l Fontaine Drive
11th Election District
Location of sign: 11th Election District
Remarks:
Posted by: *[Signature]* Date of return: 5/2/92
Number of signs: 2

CERTIFICATE OF PUBLICATION

TOWSON, MD., May 28, 1992
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on May 28, 1992.

THE JEFFERSONIAN,

S. Zake. Orlan
Publisher

#59.64

MICROFILMED

BALTIMORE COUNTY, MARYLAND 123493

OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: ACCOUNT: P-001-6150
AMOUNT: \$ 650.00

RECEIVED FROM: BGE
FOR: SPHXA

04988000340000 650.00
VALIDATION OR SIGNATURE OF CARRIER

MICROFILMED

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

6/18/92

M9200617

PUBLIC HEARING FEES QTY PRICE
OBO - POSTING SIGNS / ADVERTISING 1 X \$129.64
TOTAL: \$129.64

LAST NAME OF OWNER: B.G. & E.

Please Make Payment to: BALTIMORE COUNTY
By Check # 247005-18-92 \$129.64

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

DATE:

Baltimore Gas and Electric Company
P. O. Box 1475
Baltimore, Maryland 21203

ATTN: WILLIAM E. COLBURN, ESQ.

RE:

CASE NUMBER: 92-441-SPHXA
1/5 Ferguson Avenue, 163' N of c/l Fontaine Drive
Windy Edge Substation
11th Election District - 5th & 6th Councilmanic
Petitioner(s): Baltimore Gas and Electric Company

Dear Petitioner(s):

Please be advised that \$129.64 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE HEARING SIGN & POST SIGN(S) RETURNED ON THE DAY OF THE HEARING OR THE CASE SHALL BE LOST. DO NOT REMOVE THE SIGN & POST SIGN(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland 21204. It should have your case number noted thereon and be made payable to Baltimore County, Maryland. In order to prevent delay of the issuance of proper credit and/or your Order, immediate attention to this matter is suggested.

THOMAS E. SCHMIDT
ZONING

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

May 19, 1992

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 116 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

CASE NUMBER: 92-441-SPHXA
1/5 Ferguson Avenue, 163' N of c/l Fontaine Drive
11th Election District - 5th & 6th Councilmanic
Petitioner(s): Baltimore Gas and Electric Company
HEARING: THURSDAY, JUNE 25, 1992 at 9:00 a.m.

Special Exception for the construction and operation of an outdoor electric public utility service center (electric substation).
Special hearing to approve an amendment to existing special exception to permit the construction of additional public utility service center facilities on the site.
Variance to permit the construction of public utility service center facilities (electric substation) in the 50 foot R.T.A. buffer and 75 foot setback areas and the construction of 115kV Circuit Interrupter Switch and Transmission Structures 50 feet in height within the 100 foot residential transaction area in lieu of the 35 foot height limitation.

[Signature]
THOMAS E. SCHMIDT
Zoning Commissioner of
Baltimore County

cc: Baltimore Gas and Electric Company
William E. Colburn Esq.
John B. Howard, Esq.

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

MICROFILMED

receipt

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

PAID PER HAND-WRITTEN RECEIPT DATED 5/13/92

5/13/92 H9200475
PUBLIC HEARING FEES QTY PRICE
020 - ZONING VARIANCE (OTHER) 1
040 - SPECIAL HEARING (OTHER) 1
050 - SPECIAL EXCEPTION 1
070 - SUM OF ABOVE FEES (MAXIMUM) \$650.00

LAST NAME OF OWNER: B.G. & E.

Please Make Payment to: BALTIMORE COUNTY

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

West Chesapeake Avenue
Towson, MD 21204

June 15, 1992 (410) 887-3353

John B. Howard, Esquire
110 Allegheny Avenue
Towson, MD 21204

RE: Item No. 475, Case No. 92-441-SPHXA
Petitioner: Balto. Gas & Electric Co.
Petition for Special Exception

Dear Mr. Howard:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

Your petition has been received and accepted for filing this 13th day of May, 1992

Received By:
U. Carl Richards, Jr.
Chairman,
Zoning Plans Advisory Committee

Petitioner: Baltimore Gas & Electric Co., et al
Petitioner's Attorney: John B. Howard

MICROFILMED

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: May 26, 1992
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for May 25, 1992
Item 475

The Developers Engineering Division has reviewed the subject zoning item. The Baltimore Gas and Electric Company shall dedicate the right-of-way and reversible slope easements for North Wind Road and Ferguson Avenue (ultimate 60-foot rights-of-way).

The variance to build in a R.T.A. buffer should be denied. If any variances are granted, the adjacent impacted residences should receive extensive landscape buffering.

Robert W. Bowling / DAK
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:DAK:s

RECEIVED
JUN 2 1992
ZONING OFFICE

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: May 26, 1992
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for May 25, 1992
Item 475

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Robert W. Bowling / DAK
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:DAK:s

RECEIVED
JUN 2 1992
ZONING OFFICE

Road R/W
will make
necessary as this
time R/W's
will be obtained
at time of
future road
construction
Pub
6/25/92

BALTIMORE COUNTY, MARYLAND

OFFICE OF PLANNING AND ZONING
New Courts Building
401 Bosley Avenue
Towson, MD 21204

MEMORANDUM

TO: Arnold Jablon, Director - Zoning Administration & Development Management

FROM: Ervin McDaniel, Chief
Development Review Section
Office of Planning and Zoning

DATE: May 22, 1992

SUBJECT: PETITIONS FROM ZONING ADVISORY COMMITTEE - May 18, 1992

The Office of Planning and Zoning has no comments on the following petitions:

Baltimore Gas & Electric Co. - Item 475
Douglas Holschneider - Item 470

If there should be any further questions or if this office can provide additional information, please contact Francis Morsey in the Office of Planning and Zoning at 887-3211.

RECEIVED
JUN 2 1992
ZONING OFFICE

MICROFILMED

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21204-5500 (301) 887-4500

MAY 22, 1992

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: BALTIMORE GAS AND ELECTRIC COMPANY
Location: WINDY EDGE SUBSTATION
Item No.: 4475 (JLL) Zoning Agenda: MAY 18, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: [Signature] Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JP/KKK

RECEIVED
MAY 26 1992
ZONING OFFICE

MICROFILMED

Department of Recreation and Parks
Development Review Committee Response Form
Authorized signature Date 6/1/92

| File Number | Project Name | Waiver Number | Zoning Issue | Meeting Date |
|---------------------|------------------------------------|---------------|--------------|--------------|
| DED DEPRM RP STP TE | Phillip And Carol Faulkenkious | 461 | No Comments | 5-18-92 |
| DED DEPRM RP STP TE | August J. And Elsie W. Seifert | 464 | No Comments | |
| DED DEPRM RP STP TE | Francis D. And Suzanne L. Boyle | 465 | No Comments | |
| DED DEPRM RP STP TE | Robert N. And Joan M. Greene | 466 | No Comments | |
| DED DEPRM RP STP TE | Joseph P. And Gloria G. Connore | 467 | No Comments | |
| DED DEPRM RP STP TE | Kilmarnock Associates | 468 | No Comments | |
| DED DEPRM RP STP TE | Automaster, Inc. | 469 | No Comments | |
| DED DEPRM RP STP TE | Douglas And Mary Holschneider | 470 | No Comments | |
| DED DEPRM RP STP TE | Reisterstown Bible Church | 471 | No Comments | |
| DED DEPRM RP STP TE | Pikesville Partnership | 472 | No Comments | |
| DED DEPRM RP STP TE | Baltimore Gas And Electric Company | 473 | No Comments | |
| DED DEPRM RP STP TE | Charles R. Carroll | 474 | No Comments | |

MICROFILMED

92-441-SPHXA 6-25-92

Development Review Committee Response Form
Authorized signature Date 6/29/92

| File Number | Project Name | Waiver Number | Zoning Issue | Meeting Date |
|-------------|------------------------------------|---------------|--------------|------------------|
| DEPRM | Robert N. And Joan M. Greene | 466 | 5-18-92 | Written comments |
| DEPRM | Baltimore Gas And Electric Company | | No COMMENTS | |

COUNT 2

| | | | | |
|-------|---------------------------------|-----|------------|------------|
| DEPRM | Gene Nelson And Paulette Ensor | 489 | 6-1-92 | IN PROCESS |
| DEPRM | Lawrence F. And Ruth C. Solomon | 493 | IN PROCESS | |

COUNT 2

| | | | | |
|-------|---------------------------------------|-----|------------------|------------|
| DEPRM | Washington Homes, Inc | 504 | 6-15-92 | IN PROCESS |
| DEPRM | Aurelia Loveman For Joseph H. Loveman | 505 | Written comments | |
| DEPRM | Timothy W. And Carol Anne M. Frost | 506 | IN PROCESS | |
| DEPRM | James E. Bishop, Sr. | 508 | IN PROCESS | |

COUNT 4

| | | | | |
|-------|----------------------------------|-----|---------|------------|
| DEPRM | Keith M. And Patricia M. Lambert | 496 | 6-15-92 | IN PROCESS |
|-------|----------------------------------|-----|---------|------------|

COUNT 1

RECEIVED
JUN 30 1992
ZONING OFFICE

VENABLE, BAFFIER AND HOWARD

ATTORNEYS AT LAW

111 N. Chesapeake Avenue
Towson, Maryland 21204

June 16, 1992

Mrs. Owen Stephens
Zoning Office
111 N. Chesapeake Avenue
Towson, Maryland 21204

Re: Petitioner: Baltimore Gas & Electric Company
Case No.: 92-441-SPHXA

Dear Owen:

Enclosed please find our check in the amount of \$129.64 to cover the cost of advertising and posting of the above captioned matter.

Sincerely,

Barbara A. White
Legal Assistant

By
Signature
of Robert A. Hoffman, Esquire

RECEIVED
JUN 17 1992

ZONING OFFICE

MICROFILMED

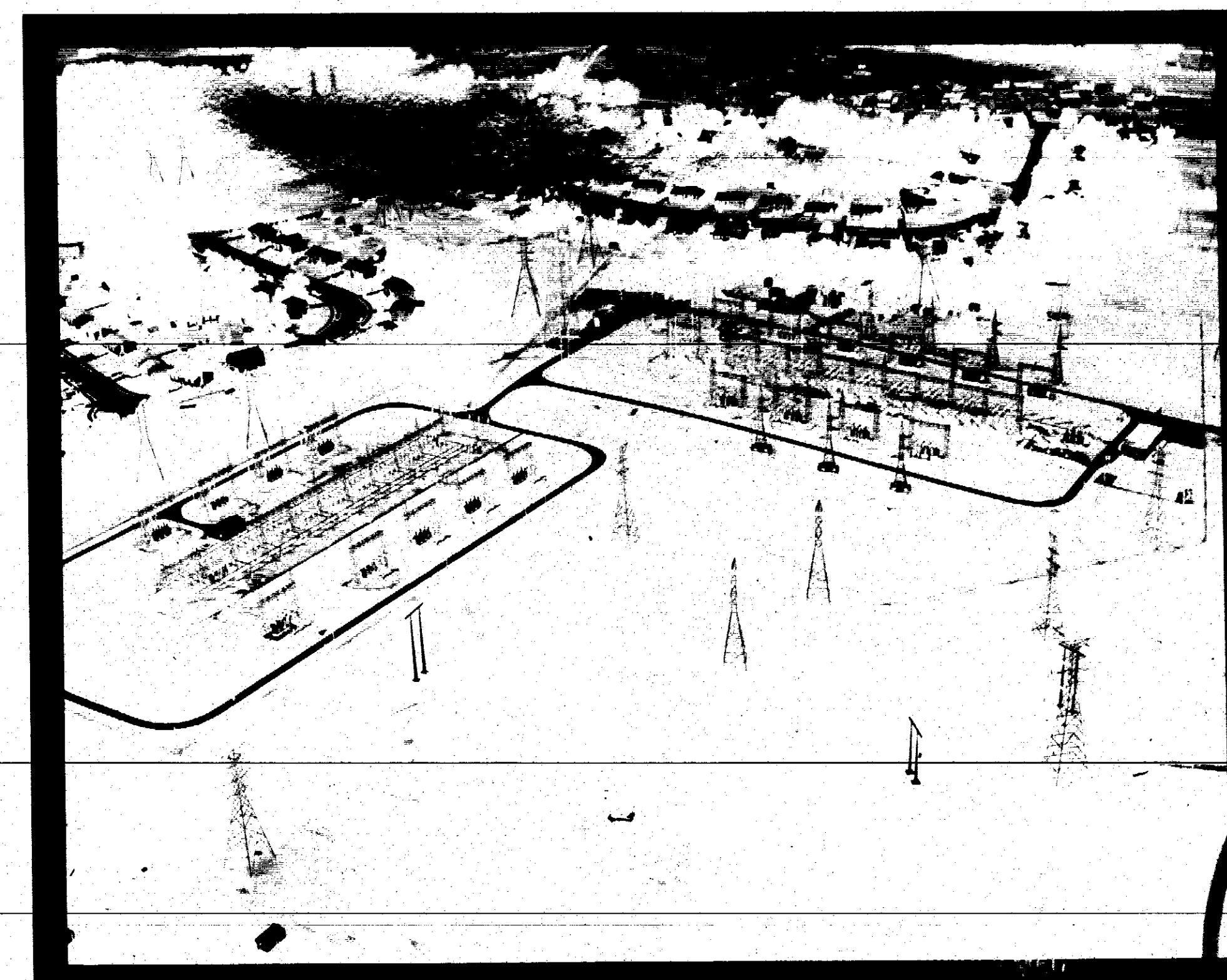
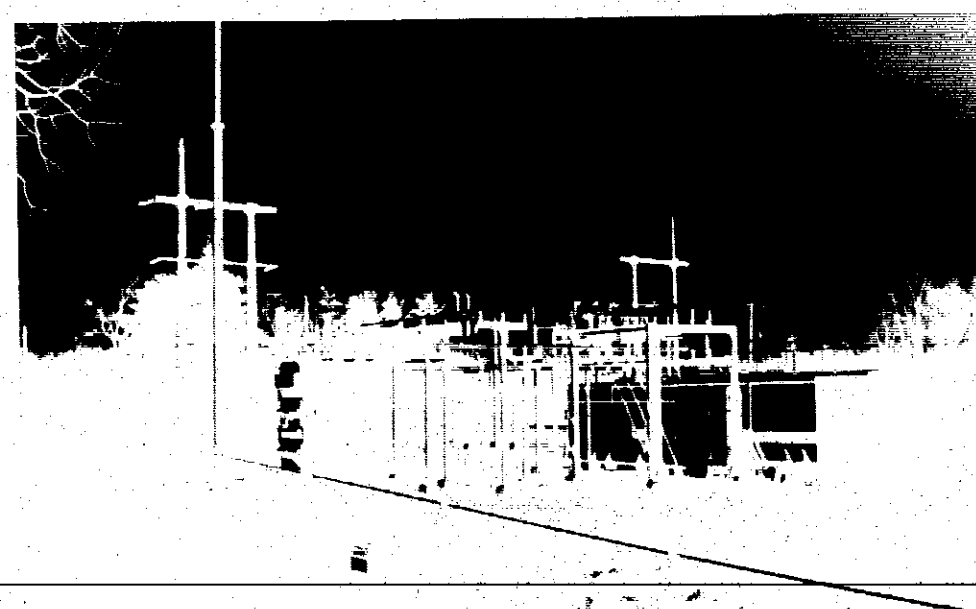
PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

| | |
|---------------|-----------------|
| Rb Hoffman | 210 411/101 Ave |
| John G. G. | P.O. 1475 3103 |
| Chad G. | P.O. 1475 3103 |
| James Johnson | 2048 " |
| Long Johnson | " " |
| Ed Carmon | 2048 " |



BALTIMORE COUNTY GAME AND FISH
PROTECTIVE ASSOCIATION
PARCEL 413 LIBER 1190 FOLIO 357

BALTIMORE GAS & ELECTRIC
TRANSMISSION R/W

OAKHURST SECTION 3

OAKHURST SECTION 1

NORTH WIND VILLAGE SECTION 3

NORTH WIND VILLAGE SECTION 2

| LOT | OWNER | LIBER/FOLIO |
|-----|---|-------------|
| 5 | MARVIN R. SOUTHCAMP WANDA D. SOUTHCAMP | 5205/978 |
| 6 | LAWRENCE C. NICKOL CHERYL L. M. NICKOL | 8425/197 |
| 7 | THOMAS P. JOHNSON FORTUNATA JOHNSON | 5757/614 |

| LOT | OWNER | LIBER/FOLIO |
|-----|---------------------------------|-------------|
| 12 | JAMES J. WROTEN, JR. | 5430/857 |
| 13 | GARY ALLAN MILLHOFF, JR. | 5430/835 |
| 14 | GEORGE E. DRESSEL, JR. et ux | 5433/853 |
| 15 | JERRY W. SMITH, et ux | 6016/293 |

| LOT | OWNER | LIBER/FOLIO |
|-----|---|-------------|
| 19 | PETER E. RHODE MARY KAREN RHODE | 7990/757 |
| 20 | MICHAEL A. SMITH CHRISTINE J. SMITH | 6507/709 |
| 21 | TIMOTHY J. STROTT ELIZABETH A. STROTT | 6534/435 |
| 22 | WALTER W. WIECZORKOWSKI CAROL A. WIECZORKOWSKI | 6518/673 |

| LOT | OWNER | LIBER/FOLIO |
|-----|--|-------------|
| 16 | LOUIS H. SAUER, et ux | 5413/714 |
| 17 | MICHAEL D. PITTILLO DORIS A. PITTILLO | 5409/880 |
| 18 | GARY A. SHERROD, et ux | 8210/730 |
| 19 | LEONARD H. MCCORD, JR. | 5406/40 |

| LOT | OWNER | LIBER/FOLIO |
|-----|------------------------------------|-------------|
| 23 | ALAN T. MCCABE ELAINE M. MCCABE | 7753/292 |
| 45 | GAIL ANITA MOORE | 6564/123 |
| 44 | GARY W. CAWLEY SUSAN M. CAWLEY | 6573/187 |
| 43 | KEITH A. SARY THERESA S. SARY | 7907/194 |

| LOT | OWNER | LIBER/FOLIO |
|-----|---|-------------|
| 13 | MICHAEL PIUNTI SUSAN PIUNTI | 7520/444 |
| 14 | DONALD E. MILLIKEN MARGO J. MILLIKEN | |
| 15 | MARY C. ROMEO | 8520/582 |

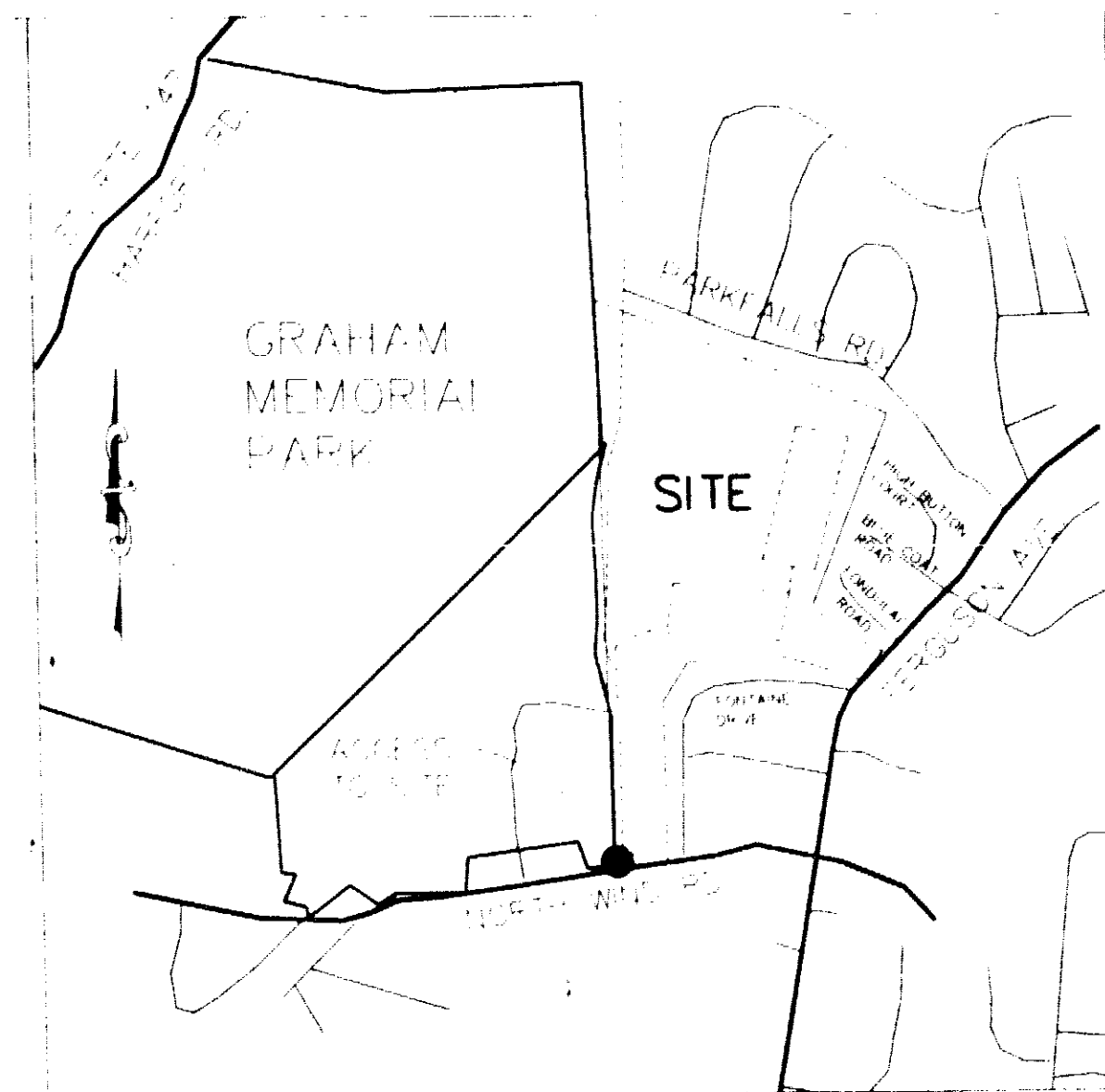
| LOT | OWNER | LIBER/FOLIO |
|-----|--|-------------|
| 24 | THOMAS S. WEDGE EILEEN I. WEDGE | 6870/742 |
| 25 | DONALD AULL KATHY AULL | 6726/640 |
| 26 | JOHN H. OFFERMAN, JR. DEBORAH L. OFFERMAN | 6743/509 |

| LOT | OWNER | LIBER/FOLIO |
|-----|---|-------------|
| 16 | ROBERT C. DEAL JAMIE R. DEAL | 6730/34 |
| 17 | RICHARD E. WILSON PATRICIA ANNE WILSON | 6744/634 |
| 18 | ANTHONY RIGGIO JOY LYN RIGGIO | 7482/187 |

| LOT | OWNER | LIBER/FOLIO |
|-----|---|-------------|
| 27 | JOHN J. MELKA MICHELLE M. MELKA | 7799/494 |
| 28 | WARREN S. GUENTHER KATHERINE R. GUENTHER | 6780/673 |
| 29 | KIRK J. MOELLER LINDA D. MOELLER | 8120/363 |

| LOT | OWNER | LIBER/FOLIO |
|-----|---|-------------|
| 19 | WILLIAM G. FRANKIS BARBARA U. FRANKIS | 8596/621 |
| 20 | MELVIN L. CAMPBELL, JR. MARY A. CAMPBELL | 6774/59 |
| 21 | ROBERT M. WILLIAMS LORETTA J. WILLIAMS | 6785/821 |

| LOT | OWNER | LIBER/FOLIO |
|-----|---|-------------|
| 22 | PAUL J. BASILE TONI S. BASILE | 8581/248 |
| 23 | JOSEPH REGIS SMITH PATRICIA LYNN SMITH | 7847/344 |



VICINITY MAP
1"=1000'

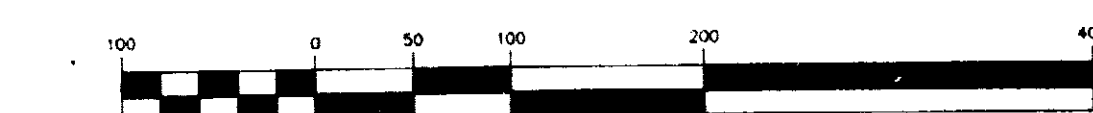
COUNCILMANIC DISTRICT - 5 & 6
LIBER/FOLIO: BALTIMORE GAS & ELECTRIC

TAX MAP: 71 GRID: 6 PARCELS 167, 412 AND 421
EXISTING SUBSTATION AREA: 51.09
TOTAL PROPOSED STATION AREA: 1.14 AC.
PARCEL 167 IS ZONED D.R. 3.5
PARCEL 412 IS ZONED D.R. 5.5
PARCEL 421 IS ZONED D.R. 3.5 AND D.R. 5.5
ELECTION DISTRICT: 11
ZONING MAP: N.E. 11-F
PROPERTY ADDRESS: NORTHWIND ROAD, APPROX. 1
MILE EAST OF HARFORD ROAD

SUSQUEHANNA TRANSMISSION CO.
ARTICLES OF TRANSFER

TAX ACCOUNT NO.: 11-02-002912
SANITARY SEWER DRAWING NO.: O.S.W.
WATER DRAWING NO.: O.S.W.
STORMDRAINS DRAWING NO.: O.S.W.
APPLICANT AND OWNER:
BALTIMORE GAS & ELECTRIC
SUBSTATION ENGINEERING
ELECTRIC SYSTEM ENGINEERING DEPARTMENT
P.O. BOX 1475
LEXINGTON AND LIBERTY STREETS
BALTIMORE, MD. 21203
ATTN: CHUCK LACEY (410) 234-6855

GRAPHIC SCALE



PETITIONERS' EX #1

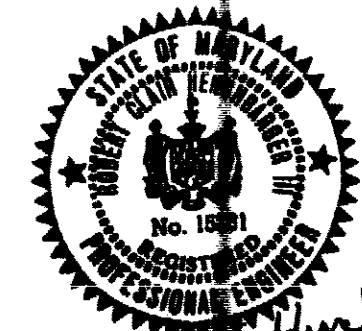
THIS DRAWING SUPERSEDES DRAWING
OF SAME NUMBER DATED

LEGEND

- BOUNDARY CORNER
- POWER POLE
- EX. TREE (TO BE REMOVED)
- SANITARY SEWER
- WOODEN POST
- OVERHEAD POWER LINES
- LIMITS OF DISTURBANCE
- SETBACK LINES
- EASEMENTS
- BUILDING
- TOWER
- WOOD POLE AND STEEL H-FRAME
- FIRE HYDRANT

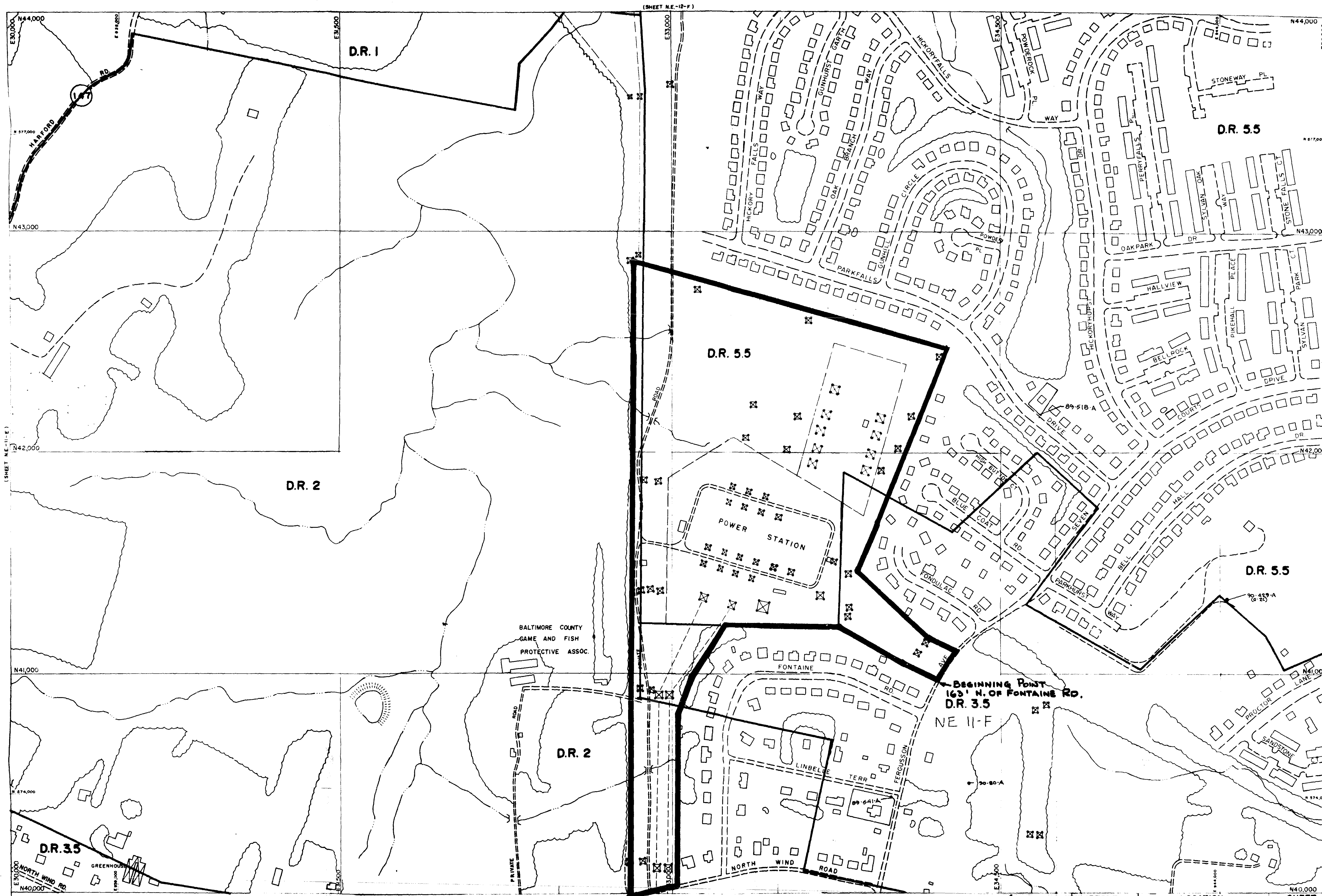
MATCH LINE-THIS SHEET

PROPOSED SUBSTATION
AREA (SEE DWG. NO. 93-682-E)



Baker
Michael Baker Jr., Inc.

| REV. | DATE | JOB ORDER & ESTIMATE NO. | DESCRIPTION | APPROVED | ENGINEERING |
|------|--------|--------------------------|---------------------------------------|----------|--|
| 1 | 5-1-92 | | ADD SETBACK LINES AND PROPERTY OWNERS | | CIVIL ELEC. PROJ. ENG. DRW. PROJ. MGR. RCH. PRIN. ENG. SUPV. ENG. |
| | | | | | DESIGN GROUP |
| | | | | | WINDY EDGE SUBSTATION |
| | | | | | BALTIMORE GAS & ELECTRIC COMPANY |
| | | | | | DISTRIBUTION & TRANSMISSION ENGINEERING DEPT. |
| | | | | | SYSTEM ENGINEERING SECTION |
| | | | | | FILE |
| | | | | | SCALE 1" = 100' |
| | | | | | NO. 93-681-E |



R-SE Q-SW
N-NE M-NW

1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 13, 1988

Bill Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88

[Signature]
Chairman, County Council

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

SCALE
1" = 200' ±
DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
CUB HILL
CARNEY AREA

SHEET
N.E.
11-F

475

92-441-SPHXA

MICROFILMED

ENVIRONMENTAL AFFAIRS
TO: T. J. F. 11/10/94
Baltimore Gas and Electric Company
7609 Energy Parkway
Suite 101
Baltimore, Maryland 21226

October 28, 1994

BGE

Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management
County Office Building
111 W. Chesapeake Avenue
Towson, MD 21204

RECEIVED
NOV 3 1994
ZADM

Re: Section 26-171-a(7) Limited Exemption and
Determination of Compliance with Spirit
and Intent of Special Exception

Dear Mr. Jablon:

BGE owns and operates the Windy Edge Outdoor Electrical Substation located 1,200 feet north of North Wind Road, adjacent to our transmission line right-of-way, in Baltimore County. Windy Edge also contains a 200 foot communications tower and equipment building.

Our records indicate that two special exceptions were granted at this site, Case No. 1802-5, which granted construction of a substation and communications tower on September 9, 1950, and Case No. 92-441-SPHXA, allowing for the expansion of Windy Edge with a new distribution substation.

Associated with the communications tower is an existing 16' x 22' masonry shelter that houses BGE's communications equipment. BGE now requires an additional, larger enclosure to install its 800 MHz radio system equipment and to allow Nextel and other communications companies to install their communications equipment at this location.

The proposed new unmanned enclosure will be located within our fenced substation on the south side of the existing shelter, in accordance with the attached location plan. The enclosure will be approximately 32' x 48' and we believe will meet all Baltimore County setback requirements. The existing communications equipment structure will be maintained on site.

It is requested that you confirm that this new structure is a minor commercial structure under Section 26-171-a(7) and is within the spirit and intent of the original special exception approved on September 9, 1950.

Please let me know if you have any questions

Yours truly,

Richard W. Filling
Richard Filling
Environmental Affairs

cc: David Flowers, ZADM
Larry Schmidt

Speed Letter

In the interest of speed and economy we are relying to our knowledge on the information you have provided. If you need more information, do not hesitate to call or write. Thank you for your interest.

11th Election District
November 15, 1994

Dear Mr. Filling:

Along with an accompanying copy of this letter and response, please provide a red-lined copy of the approved site plans as approved in the zoning cases referenced in your letter indicating the location of all proposed changes. A \$40.00 fee is required, made payable to Baltimore County. Please also provide a working hours telephone number where the staff may contact you.

Very truly yours,
John L. Lewis
John L. Lewis
Planner II

JLL:scj

ENVIRONMENTAL AFFAIRS
TO: W. C. R. 10/28/94
Baltimore Gas and Electric Company
P.O. Box 1475
Baltimore, Maryland 21203-1475

October 19, 1995

BGE

Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Determination of Compliance with Spirit and Intent of Special Exception

Dear Mr. Jablon:

BGE owns and operates the Windy Edge Substation located at 3418 Northwind Road, adjacent to our transmission line right-of-way, in Baltimore County. Windy Edge also contains a 200 foot communications tower.

On October 28, 1994 BGE requested a Limited Exemption and a determination of Spirit and Intent of Special Exception. On December 29, 1994 we received confirmation that the Limited Exemption was granted (see attached) and we applied for a building permit on September 27, 1995. On October 19, 1995 we were told a determination on the Spirit and Intent was not addressed and that it was required in order for Zoning to approve Building Permit #B 249196.

Our records indicate that two special exceptions were granted at this site: Case No. 1802-5, which granted construction of a substation and communications tower on September 9, 1950, and Case No. 92-441-SPHXA, allowing for the expansion of Windy Edge with a new distribution substation.

There was no opposition to these special exceptions.

There is an existing 16' X 22' masonry building next to the communications tower that will remain once the new building is constructed. The proposed building will be unmanned and is required to house additional communications equipment. The building will be 32' X 44' and will meet all Baltimore County setback requirements. It will be located within our fenced substation on the south side of the existing building, in accordance with the attached red-lined site plan.

It is requested that you confirm this new structure is within the Spirit and Intent of the original Special Exception(s).

PLEASE EXPEDITE AS THIS APPROVAL WAS PREVIOUSLY REQUESTED ON OCTOBER 28, 1994 AND A BUILDING PERMIT IS PENDING.

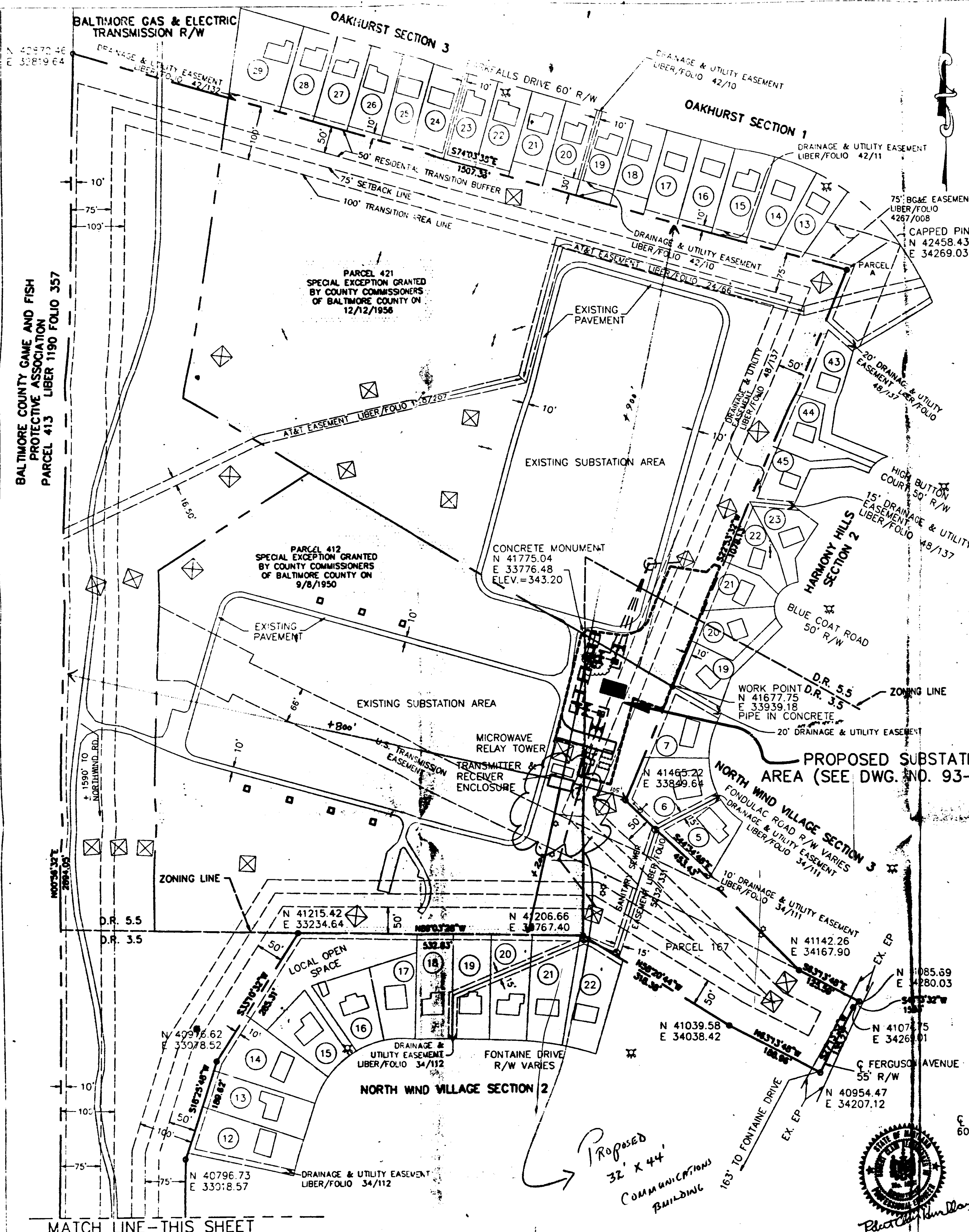
Please call me at 787-5130 if you have any questions on the above.

APPROVED FOR SPIRIT AND INTENT
FOR ZONING: 10/24/95
WCR/JLL P.D.M.

Sincerely,
James F. Burkman
James F. Burkman
Environmental Permit Technician

RECEIVED
OCT 20 1995
PDM

G:\groups\wm\windy.doc



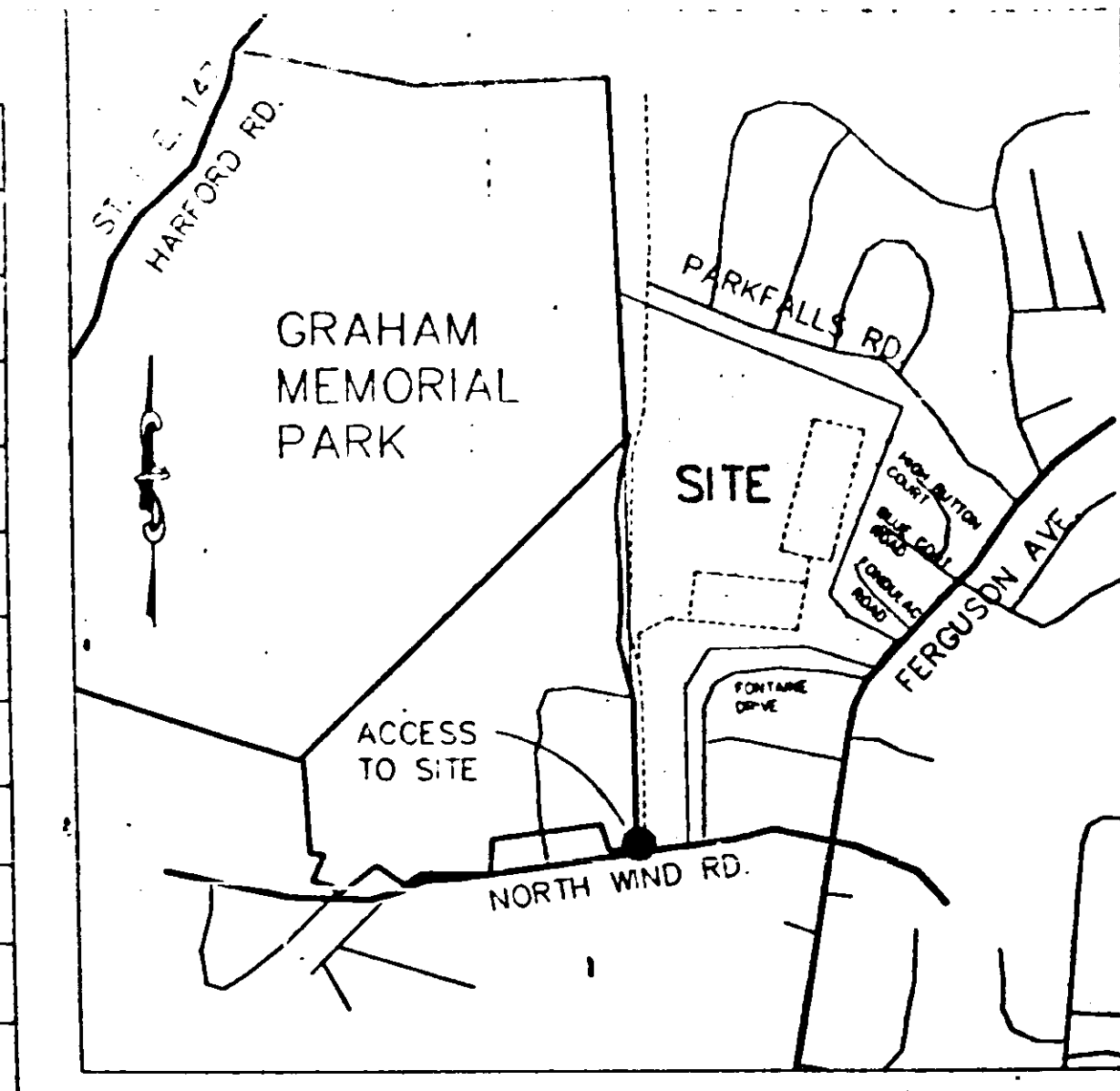
| NORTH WIND VILLAGE SECTION 3 | | |
|------------------------------|---|-------------|
| LOT | OWNER | LIBER/FOLIO |
| 5 | MARVIN R. SOUTHCOMB WANDA D. SOUTHCOMB | 5705/978 |
| 6 | LAWRENCE C. NICKOL CHERYL L. M. NICKOL | 8425/197 |
| 7 | THOMAS P. JOHNSON FORTUNATA JOHNSON | 5757/614 |

| HARMONY HILLS SECTION 2 | | |
|-------------------------|---|-------------|
| LOT | OWNER | LIBER/FOLIO |
| 19 | PETER E. RHODE MARY KAREN RHODE | 7990/757 |
| 20 | MICHAEL A. SMITH CHRISTINE J. SMITH | 6507/709 |
| 21 | TIMOTHY J. STROTT ELIZABETH A. STROTT | 6534/435 |
| 22 | WALTER W. WIECZORKOWSKI CAROL A. WIECZORKOWSKI | 6518/673 |
| 23 | ALAN T. MCCABE ELAINE M. MCCABE | 7753/292 |
| 45 | GAIL ANITA MOORE | 6566/723 |
| 44 | GARY W. CAWLEY SUSAN M. CAWLEY | 6573/187 |
| 43 | KEITH A. SABA THERESA S. SABA | 7907/194 |

| OAKHURST SECTION 3 | | |
|--------------------|--|-------------|
| LOT | OWNER | LIBER/FOLIO |
| 24 | THOMAS S. WEDGE EILEEN I. WEDGE | 6870/742 |
| 25 | DONALD AULL KATHY AULL | 6726/640 |
| 26 | JOHN H. OFFERMAN, JR. DEBORAH L. OFFERMAN | 6743/509 |
| 27 | JOHN J. MELKA MICHELLE M. MELKA | 7799/494 |
| 28 | WARREN S. GUENTHER KATHERINE R. GUENTHER | 6780/673 |
| 29 | KIRK J. MOELLER LINDA D. MOELLER | 8120/363 |

| NORTH WIND VILLAGE SECTION 2 | | |
|------------------------------|--|-------------|
| LOT | OWNER | LIBER/FOLIO |
| 12 | JAMES Y. WROTEN, et ux | 5430/627 |
| 13 | GARY ALLAN MILLHOFF, et ux | 5430/835 |
| 14 | GEORGE E. DRESSER, JR., et ux | 5433/853 |
| 15 | JERRY W. SMITH, et ux | 6016/293 |
| 16 | LOUIS H. SAUER, et ux | 5413/734 |
| 17 | MICHAEL D. PITILLO DORIS A. PITILLO | 5409/830 |
| 18 | GARY A. SHERRON, et ux | 8210/790 |
| 19 | LEONARD H. MCCORD, et ux | 5406/40 |
| 20 | ZINWOOD E. NEWBERRY, et ux | 6736/773 |
| 21 | THERESA A. DESAULNIERS-BARE RICHARD B. BARE | 7356/637 |
| 22 | JOSEPH J. COLABELLA SR., et ux | 8039/805 |

| OAKHURST SECTION 1 | | |
|--------------------|--|-------------|
| LOT | OWNER | LIBER/FOLIO |
| 13 | MICHAEL PIUNTI SUSAN PIUNTI | 7520/444 |
| 14 | DONALD E. MILLIKEN MARGO J. MILLIKEN | --- |
| 15 | MARY C. ROMEO | 8520/582 |
| 16 | ROBERT C. DEAL JAMIE R. DEAL | 6730/34 |
| 17 | RICHARD E. WILSON PATRICIA ANNE WILSON | 6744/694 |
| 18 | ANTHONY RIGGIO JOY LYNN RIGGIO | 7482/187 |
| 19 | WILLIAM G. FRANKIS BARBARA U. FRANKIS | 8596/621 |
| 20 | MELVIN L. CAMPBELL JR. MARY A. CAMPBELL | 6774/59 |
| 21 | ROBERT M. WILLIAMS LORETTA J. WILLIAMS | 6785/821 |
| 22 | PAUL J. BASILE TONI S. BASILE | 8581/248 |
| 23 | JOSEPH REGIS SMITH PATRICIA LYNN SMITH | 7847/344 |



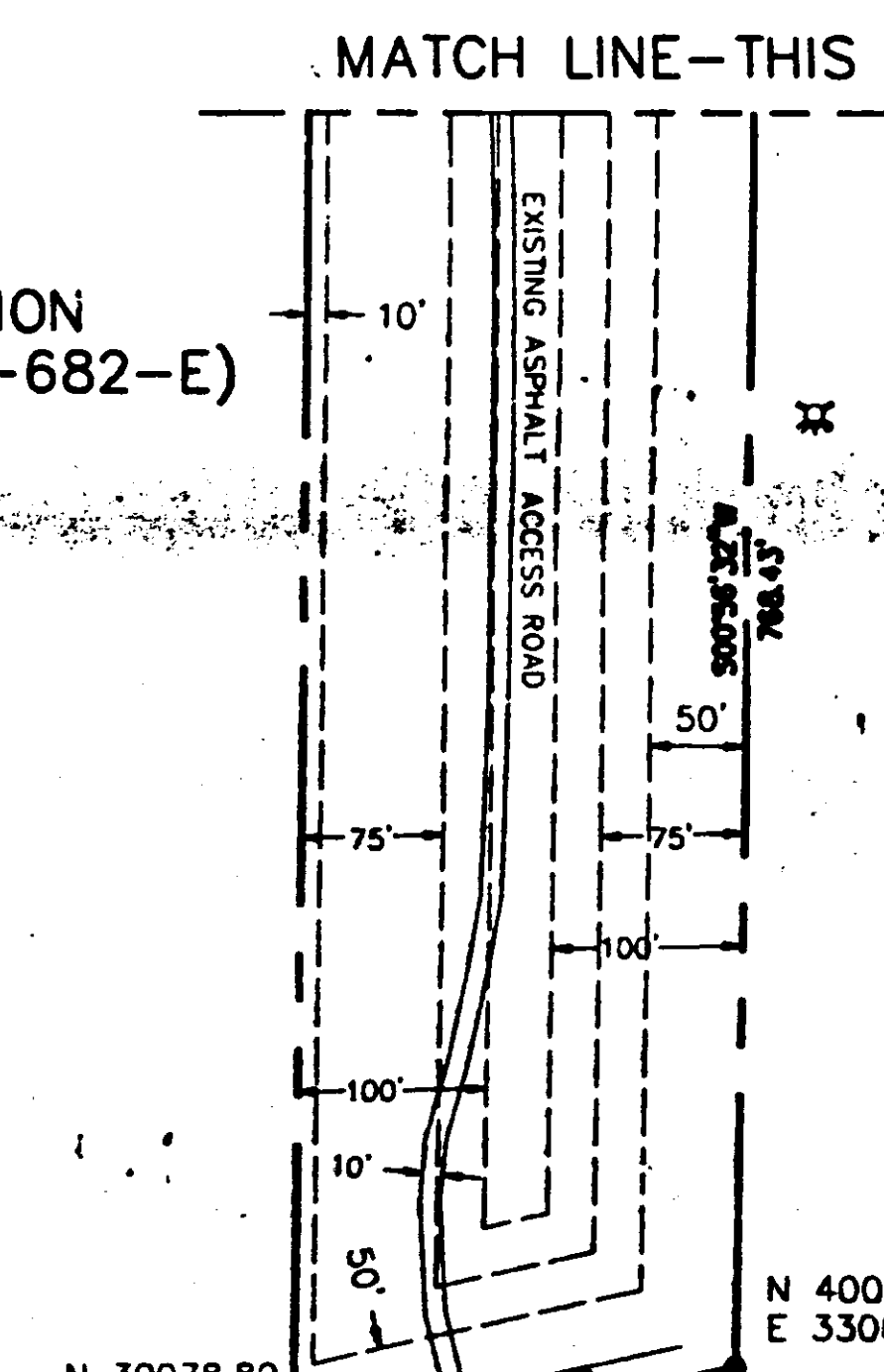
| VICINITY MAP | |
|--------------------------------------|--|
| 1"=1000' | |
| EXISTING PRIVATELY OWNED BG&E ROADS. | |

COUNCILMANIC DISTRICT : 5 & 6
LIBER/FOLIO: BALTIMORE GAS & ELECTRIC
3572 / 546
3098 / 287
1875 / 16
1859 / 417
1037 / 100
609 / 116
604 / 230
603 / 359
370 / 161
365 / 104
364 / 435

SUSQUEHANNA TRANSMISSION CO.
ARTICLES OF TRANSFER

TAX MAP: 71 GRID : 6 PARCELS 167, 412 AND 421
EXISTING SUBSTATION AREA : 51.09
TOTAL PROPOSED STATION AREA : 1.14 ac.
PARCEL 167 IS ZONED D.R. 3.5
PARCEL 412 IS ZONED D.R. 5.5
PARCEL 421 IS ZONED D.R. 3.5 AND D.R. 5.5
ELECTION DISTRICT : 11
ZONING MAP : N.E. 11-F
PROPERTY ADDRESS : NORTHWIND ROAD, APPROX. 1 MILE EAST OF HARFORD ROAD.

TAX ACCOUNT NO. : 11-02-002912
SANITARY SEWER DRAWING NO. : O S.W.
WATER DRAWING NO. : O S.W.
STORMDRAINS DRAWING NO. : O S.W.
APPLICANT AND OWNER :
BALTIMORE GAS & ELECTRIC
SUBSTATION ENGINEERING
ELECTRIC SYSTEM ENGINEERING DEPARTMENT
P.O. BOX 1475
LEXINGTON AND LIBERTY STREETS
BALTIMORE, MD. 21203
ATTN: CHUCK LACEY (410) 234-6855



| REV | DATE | JOB ORDER & ESTIMATE NO. | DESCRIPTION | APPROVED | ENGINEERING |
|-----|--------|--------------------------|---------------------------------------|----------|--|
| 1 | 5-1-92 | | ADD SETBACK LINES AND PROPERTY OWNERS | | CIVIL ELEC. PROJ. ENG. DRW. PROJ. MGR. RCL. PRIN. ENG. SUPV. ENG. |

| GRAPHIC SCALE | |
|--|--|
| 1" = 100' | |
| PETITIONERS EX #1 | |
| THIS DRAWING SUPERSEDES DRAWING OF SAME NUMBER DATED | |
| ZONING HEARING FILE COPY 92/441/SPHYA | |
| ZONING PLAT | |
| MICROFILMED | |
| WINDY EDGE SUBSTATION | |
| BALTIMORE GAS & ELECTRIC COMPANY | |
| DISTRIBUTION & TRANSMISSION ENGINEERING DEPT | |
| SYSTEM ENGINEERING SECTION | |
| FILE | |
| CADD: MJT | |
| DWG NO. 93-681-E | |

IN RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE - DEPUTY ZONING COMMISSIONER
W/S Northwind Road, 1 Mile E of Harford Road, W of Ferguson Road (Windy Edge Substation)
11th Election District
5th & 6th Councilmanic Districts - Case No. 92-441-SPHXA
Baltimore Gas & Electric Co.
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petitions for Special Hearing, Special Exception and Zoning Variance filed by the legal owner of the subject property, Baltimore Gas and Electric Company, by and through its attorneys, John B. Howard, Esquire and Robert A. Hoffman, Esquire. More specifically, the Petitioner requests a special hearing to approve an amendment to the previously approved special exception to permit the construction of additional public utility service center facilities on the subject property; a special exception for the construction and operation of an outdoor electric public utility service center (electric substation in a D.R. zone); and a variance requesting relief from Sections 1B01.1.B.1.e.3 and 1B01.1.B.1.e.5 of Article 1B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit the construction of public utility service center facilities (electric substation) in the 50-foot RTA buffer and 75-foot setback areas, and the construction of 115KV Circuit Interrupter Switch and transmission structures 40 feet in height within the 100-foot residential transition area in lieu of the 35-foot height limitation, if required by the Zoning Commissioner, all as more particularly described on Petitioner's Exhibit 1.

Appearing on behalf of the Petitioner was William R. Colburn, Esquire, in-house counsel for Petitioner. Also appearing on behalf of the

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Petitioner were Walt Reiter, Real Estate Appraiser; Chuck Lacey, Project Manager for BG & E; Ray Cullen, Substation Planner for BG & E; and Bonnie Johansen and Ed Carman, all of whom are associated with BG & E. There were no Protestants.

Testimony indicated that the subject property, known as the Windy Edge Substation, consists of 1.14 acres more or less, split zoned D.R. 3.5 and 5.5 and is part of a larger tract containing 51.09 acres of land. The subject 1.14 acre tract of land is the site of the proposed substation and is located off of Northwind Road, approximately 163 feet north of Fontaine Drive. The proffered testimony indicated that the proposed substation is necessary due to increased development in the surrounding area of Baltimore County. Testimony indicated that this particular substation will also reduce the load on surrounding substations and will result in a more efficient and better distribution of electric to citizens in this area.

Testimony revealed that the proposed substation cannot be located in an area that is traversed by overhead power lines. Petitioner's Exhibit 2, an aerial photograph of the subject site, demonstrates that the proposed site is the only feasible location for the substation due to the many overhead power lines existing in this area. As a result of the limitations imposed by this site, the requested variances are necessary.

Testimony further revealed that the Petitioner approached several of the homeowners in the adjacent subdivisions, all of whom had no opposition to the Petitioner's request. It should be noted that the aerial photograph marked Petitioner's Exhibit 2 also evidenced that an adequate amount of screening and landscaping exists between the entire 51.09-acre tract and the two adjoining subdivisions known as Northwind Village, Section III, and Harmony Hills, Section II.

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After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

It is clear that the B.C.Z.R. permits the use proposed in the D.R. 3.5 and 5.5 zones by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

- 3 -

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the pub-

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lic health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested in the special hearing, special exception and variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 9th day of July, 1992 that the Petition for Special Hearing to approve of an amendment to the previously approved special exception to permit the construction of additional public utility service center facilities on the subject property, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the restrictions set forth hereinafter; and,

IT IS FURTHER ORDERED that the Petition for Special Exception to permit the construction and operation of an outdoor electric public utility service center (electric substation in a D.R. zone), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the restrictions set forth hereinafter; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance requesting relief from Sections 1B01.1.B.1.e.3 and 1B01.1.B.1.e.5 of Article 1B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit the construction of public utility service center facilities (electric substation) in the 50-foot RTA buffer and 75-foot setback areas, and the construction of 115KV Circuit Interrupter Switch and transmission structures 40 feet in height within the 100-foot residential transition area in lieu of the 35-foot height limitation, if required by the Zoning Commissioner,

- 5 -

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in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) Prior to the issuance of any permits, the Petitioner shall provide additional landscaping along the border of the proposed substation and the adjoining subdivisions known as Northwind Village, Section III, and Harmony Hills, Section II.
- 3) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

THK:bjs

Timothy N. Kotroco
TIMOTHY N. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

July 9, 1992

(410) 887-4386

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION AND ZONING VARIANCE
N/S Northwind Road, 163' N of Fontaine Drive, W of Ferguson Avenue
(Windy Edge Substation)
11th Election District - 5th & 6th Councilmanic Districts
Baltimore Gas & Electric Company - Petitioner
Case No. 92-441-SPHXA

Dear Mr. Hoffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing, Special Exception and Zoning Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

Timothy N. Kotroco
TIMOTHY N. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

THK:bjs

cc: People's Counsel

File

MICROFILMED

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County 92-441-SPHXA

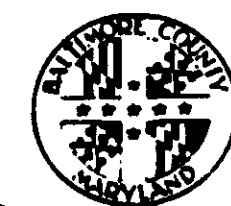
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an amendment to existing special exceptions to permit the construction of additional public utility service center facilities on the site.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

| | |
|------------------------------------|---|
| Contract Purchaser/Lessee: | Legal Owner(s): |
| N/A | Baltimore Gas and Electric Company |
| (Type or Print Name) | (Type or Print Name) |
| Signature | Signature <i>W. R. Colburn</i> |
| Address | Signature <i>W. R. Colburn</i> |
| City and State | (Type or Print Name) |
| Signature | Signature |
| Attorney for Petitioner: | P. O. Box 1475 |
| John B. Howard, Esquire | 234-5689 |
| (Type or Print Name) | Phone No. |
| Address | Baltimore, MD 21204 |
| City and State | City and State |
| Signature | Name, address and phone number of legal owner, contract purchaser or representative to be contacted |
| 210 Allegheny Avenue | William E. Colburn, Esquire |
| Towson, MD 21204 | Name Baltimore Gas and Electric Company |
| City and State | P. O. Box 1475 |
| Attorney's Telephone No.: 592-8200 | Baltimore, MD 21203 |
| | 234-5689 |
| | Phone No. |



ESTIMATED LENGTH OF HEARING - 1/2 HR. + 10 MIN.
AVAILABLE FOR HEARING
ALL MON./TUES./WED. - NEXT TWO MONTHS
OTHER
REVIEWED BY: DATE

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